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REPORT OF THE SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES ON ITS FORTY-FOURTH SESSION

Report of Mr. Miguel Alfonso Martínez, Chairman of the Sub-Commission at its forty-fourth session, prepared in accordance with paragraph 14 of Commission on Human Rights resolution 1992/66 and Economic and Social Council decision 1992/238

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INTRODUCTION

1. In its resolution 1992/66 of 4 March 1992, entitled "Work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities", the Commission expressed its appreciation for the positive contribution made by the Sub-Commission to the work of the Commission in the promotion and protection of human rights. After noting with appreciation the intensified dialogue between the two bodies, the Commission, inter alia, took note of the steps taken so far by the Sub-Commission to rationalize and streamline its work and encouraged the Sub-Commission to continue and to finalize its discussions on the best way to improve the efficiency of the debate.

2. In the same resolution, the Commission endorsed the recommendation contained in Sub-Commission decision 1991/117 of 30 August 1991, calling for the establishment, on an exceptional basis, of an inter-sessional working group on the rationalization of the work and the agenda of the Sub-Commission. The Commission also recommended that the working group be composed of one representative of each regional group.

3. Also in this resolution, the Commission requested the inter-sessional working group to prepare a list of specific proposals in draft decision format, for examination by all the experts of the Sub-Commission and adoption by the Sub-Commission at its forty-fourth session, a list which took into consideration the proposals and recommendations studied by the Sub-Commission at its forty-third session.

4. The Commission further invited the inter-sessional working group to make recommendations to the Sub-Commission on various points, which were listed in paragraph 7, subparagraphs (a) to (f), of resolution 1992/66. The recommendations were to refer specifically to improvement of coordination between the two bodies and between the Sub-Commission and the other competent organs of the United Nations acting in the field of human rights; improvement of the Sub-Commission's working methods; the format, adoption and number of its resolutions; initiatives for the widest possible dissemination of the Sub-Commission's findings; rationalization of its agenda; and strengthening the independence of its experts.

5. With particular reference to the improvement of the Sub-Commission's working methods, the Commission, in paragraph 7 (c), detailed a wide range of issues to be addressed by the recommendations which the working group was invited to submit to the Sub-Commission. These questions included, inter alia, the allocation of speaking time among the experts, the designation of rapporteurs, the allocation of reports among the experts and the time-frame for the completion of studies and reports, as well as the question of the role of alternate members and the elaboration of a procedure to evaluate and monitor the implementation of the recommendations contained in the studies and reports.

6. Lastly, in paragraph 14 of resolution 1992/66, the Commission invited the Chairman of the Sub-Commission at its forty-fourth session to report to the Commission at its forty-ninth session on the implementation by the Sub-Commission of the initiatives recommended in that resolution.

7. At its 32nd plenary meeting, held on 20 July 1992, the Economic and Social Council adopted decision 1992/238, in which, at the recommendation of the Commission, the Council, inter alia, took note of resolution 1992/66, approved the endorsement of the inter-sessional working group by the Commission, and invited the Chairman of the Sub-Commission at its forty-fourth session to report to the Commission at its forty-ninth session on the implementation by the Sub-Commission of the initiatives recommended in Commission resolution 1992/66.

8. The Chairman of the Sub-Commission submits the present report to the consideration of the Commission on Human Rights in pursuance of the above-mentioned decisions of the Commission and the Council.

I. ESTABLISHMENT, COMPOSITION AND RESULTS OF THE WORK OF THE INTER-SESSIONAL WORKING GROUP ON THE METHODS OF WORK OF THE SUB-COMMISSION

9. In the report on its work which it submitted to the Sub-Commission (E/CN.4/Sub.2/1992/3 and Add.1), the Working Group stated that, after the customary consultations and on the basis of equitable geographical distribution, the Chairman of the forty-third session of the Sub-Commission, Mr. Louis Joinet, had designated the experts who would form part of the Working Group.

10. The Group's membership consisted of Mr. Joinet himself - who later was also elected Chairman of the Working Group - Mr. Fisseha Yimer, Mr. Leandro Despouy, Mr. Stanislav Chernichenko and Mr. Ribot Hatano. Mr. Yimer was elected Rapporteur of the Group.

11. The Group held a session of nine meetings at Geneva from 11 to 15 May 1992. The session was opened by Mr. Antoine Blanca, Under-Secretary-General for Human Rights. The results of the Group's work are set out in paragraphs 13 to 19 of the report that it submitted to the Sub-Commission in accordance with the provisions of paragraph 6 of resolution 1992/66.

12. On the basis of a provisional agenda proposed by the Chairman, and after an exchange of views on the recommendations made by the Commission concerning the agenda, the Group decided that its deliberations should concentrate on the following four issues:

(a) Rationalization of the methods of work of the Sub-Commission;

(b) Restructuring of the agenda of the Sub-Commission;

(c) Coordination with the Commission and other competent organs; and

(d) Independence of the experts.

The Group took decisions on these four issues, as well as on two other matters arising from resolution 1992/66. These decisions are analysed in the following paragraphs of the present report.

13. With regard to the question of rationalization of the methods of work of the Sub-Commission, the Group made concrete and detailed proposals. These took the form of specific guidelines contained in a draft resolution recommended to the Sub-Commission for adoption (E/CN.4/Sub.2/1992/3, para. 14). The Group's proposals on this matter, as set out in the draft resolution, were divided into four sections, relating specifically to preparation of studies ("rules" 1-7), submission and adoption of resolutions and decisions ("rules" 8-12), and holding of meetings and allocation of speaking time ("rules" 13-18), while the draft resolution also includes a "rule" 19 on transitional arrangements. A considerable number of the "rules" proposed by the Working Group were substantially modified by the Sub-Commission.

14. Because of the major significance of this aspect of the Group's work, the specifics of its principal proposals to the Sub-Commission on this matter will be described in detail in chapter III of the present report, in the light of the deliberations and decisions of the Sub-Commission at its forty-fourth session.

15. With regard to the restructuring of the agenda of the Sub-Commission, the Group drew the attention of the Sub-Commission to a detailed proposal presenting an alternative to the agenda that it has usually followed at its annual sessions (E/CN.4/Sub.2/1992/3, para. 15, proposal "A").

16. The Group's work on this question was focused essentially on a proposal submitted in 1991 by 29 non-governmental organizations (E/CN.4/Sub.2/1991/NGO/21). At the request of observers for Governments, the Group made a large number of amendments to the original text presented, which was also amended on the basis of specific proposals made by two of the Group's members, Mr. Hatano and Mr. Chernichenko. The Group informed the Sub-Commission that those amendments had been accepted by the organizations responsible for the initiative. The Group also drew the Sub-Commission's attention to its proposal for restructuring of the agenda, as amended in the light of its deliberations and decisions.

17. The Sub-Commission took no decision on this matter at its forty-fourth session.

18. With regard to the improvement of coordination between the Sub-Commission and the Commission on Human Rights and other competent organs of the United Nations in the field of human rights, the Group submitted three proposals to the Sub-Commission for consideration (E/CN.4/Sub.2/1992/3, para. 15, proposal "B").

19. These proposals relate, respectively, to the renewal of the by now traditional annual invitation to the current Chairman of the Commission to attend the sessions of the Sub-Commission, the possible participation of the Chairmen of the Sub-Commission and of other competent organs of the United Nations in the field of human rights in the annual post-sessional meeting of the Bureau of the Commission, and the strengthening of coordination between the Sub-Commission and the Commission on Crime Prevention and Criminal Justice. The Group took the view that its proposals in this respect should

not take the form of a draft decision for submission to the Sub-Commission, because of their "possible financial implications" "which involve decisions by the Commission on Human Rights, as well as the Economic and Social Council".

20. The Sub-Commission took no decision on this matter at its forty-fourth session.

21. With regard to the independence of the Sub-Commission experts, the Group decided to request its Chairman, Mr. Joinet, to forward to the Under-Secretary-General for Human Rights a memorandum on strengthening the independence of the Sub-Commission experts. The Chairman of the Group complied with this request, transmitting the memorandum concerned to Mr. Blanca (for the text, see E/CN.4/Sub.2/1992/3, para. 16, proposal "C").

22. The gist of this memorandum is its emphasis on the need for the United Nations to issue all members of the Sub-Commission with a document attesting to their status as "experts on mission" in order to avoid incidents jeopardizing their personal security and independence of action in the course of their travel on missions related to their duties and their annual stay in Geneva during the Sub-Commission's sessions.

23. Mr. Joinet's memorandum emphasized the importance of issuing such a document for the purpose of "giving effect" to the decision of the International Court of Justice of 15 December 1989, declaring the guarantees provided in article VI, section 22, of the Convention on the Privileges and Immunities of the United Nations enjoyed by "experts on mission" to be applicable to the members of the Sub-Commission. The Working Group's memorandum concludes with an assurance of its full cooperation in reaching a satisfactory solution in view of the forty-fourth session of the Sub-Commission in August 1992.

24. Notwithstanding this initiative by the Group and the action taken by its Chairman, the Sub-Commission's session began without the United Nations certificate concerned having been issued to the experts.

25. On 13 August 1992, when the session was already well under way, a serious incident occurred at the Ferney-Voltaire border crossing between France and Switzerland. This incident demonstrated once again the urgent need for an appropriate document issued by the United Nations to provide adequate protection for the independence and physical security of the members of the Sub-Commission in the performance of their duties.

26. While coming from her temporary residence in Ferney to Geneva to attend the Sub-Commission meetings scheduled for that day, Mrs. Fatma Z. Ksentini, a Sub-Commission expert, was asked by the Swiss Customs authorities to step down from the vehicle in which she was travelling and made to wait for some time because of the alleged need to check her identity - this despite the fact that our colleague immediately presented not only her Algerian diplomatic passport, which was fully in order, but also the identification badge specifying her status as an expert which the Centre for Human Rights had given her for use on entering the United Nations European Office and inside. Mrs Ksentini justifiably described the incident as "humiliating".

27. The Sub-Commission expressed its utter repudiation of this incident. It requested the Chairman of its forty-fourth session to make immediate representations to the Under-Secretary-General for Human Rigths in order both to ensure that the Swiss authorities conducted a full investigation into the matter and presented the apologies that were due to Mrs. Ksentini after the way in which she had been treated, and to settle once and for all the question of the issue of the above-mentioned certificate.

28. In response to this request, the Chairman held two meetings with the Under-Secretary-General at which he voiced the Sub-Commission's serious concern over the repeated incidents of this kind and emphasized the urgent need to take the requisite administrative measures to avoid any recurrence in the future.

29. The Chairman is pleased to be able to inform the Commission that, by the end of the forty-fourth session, each and every one of the full and alternate members of the Sub-Commission who formally requested it from the Centre for Human Rights was already in possession of the relevant certificate. The Chairman also wishes to express his appreciation of the understanding shown by Mr. Blanca concerning this matter and the diligence with which Mr. Blanca acted to settle the question of issuing the document concerned.

30. The Group also considered two other matters. With regard to the publicity to be given to the work of the Sub-Commission (see resolution 1992/66, para. 7 (f)), after consulting the Centre for Human Rights, the Group recommended that every year an issue of the Fact Sheet published by the Centre should publicize the results of the Sub-Commission's annual session.

31. With regard to the question of arrangements concerning insurance which might be made available to the members of the Sub-Commission, the Group reiterated the interest in the matter already expressed by some experts in earlier years and requested the secretariat of the Centre to report on the question to the Sub-Commission at its forthcoming forty-fifth session.

32. The Sub-Commission did not take any decision on these two matters at its forty-fourth session.

II. CONSIDERATION BY THE SUB-COMMISSION OF THE PROPOSALS ON THE RATIONALIZATION OF ITS METHODS OF WORK SUBMITTED TO IT BY THE WORKING GROUP AND DECISIONS TAKEN IN THIS REGARD

33. The Sub-Commission examined jointly the report submitted for its consideration by the intersessional Working Group (E/CN.4/Sub.2/1992/3 and Add.1 and the various questions relating thereto, at its 2nd, 3rd, 18th, 19th, 31st, 32nd and 33rd plenary meetings, held on 4, 17, 18, 25 and 26 August 1992. In that regard, it adopted without a formal vote, resolution 1992/8 of 26 August 1992 (E/CN.4/1993/2 - E/CN.4/Sub.2/1992/58).

34. In compliance with Commission on Human Rights resolution 1992/66, paragraph 13, and Economic and Social Council decision 1992/238, the Sub-Commission at its 2nd plenary meeting decided to invite Mr. Par Solt (Hungary), Chairman of the forty-eighth session of the Commission, to report to the Sub-Commission on the debate under this item in the Commission.

35. Although he was in Geneva during part of the Sub-Commission's session, for reasons of work Mr. Solt was unable to perform that task personally and it was delegated to Ambassador Ronald Walker (Australia), one of the Vice-Chairmen of the Commission. Ambassador Walker addressed the Sub-Commission during the morning of 18 August 1992. The main points of his statement appear in paragraphs 1 to 3 of the summary record of the Sub-Commission's 20th meeting (E/CN.4/Sub.2/1992/SR.20).

36. From the very beginning of the forty-fourth session, it was clear to all the Sub-Commission's members that the question of its methods of work would necessarily be one of the agenda items to which it should attach the highest priority and devote the most careful attention.

37. Both the renewed interest in the issue demonstrated by the Commission as reflected in its usually lengthy and detailed requests to the Working Group in its resolution 1992/66, and the variety of the proposals it referred to the Working Group and their potential consequences made it essential to conduct an exhaustive and meticulous examination of this matter and especially the content of the report submitted for its consideration.

38. It was likewise obvious from the outset that various proposals recommended by the Working Group, in particular some of those regarding the preparation of studies and submission and adoption of resolutions and decisions, were considered prima facie, by a number of experts either as being incompatible with the independence they must have to discharge their duties or with the separation of functions between the Commission and the Sub-Commission or as constraints upon their freedom of initiative as Sub-Commission members.

39. Furthermore, both these and other experts considered that many of the "rules" included in the draft resolution recommended by the Group to the Sub-Commission for adoption were redundant (inter alia) because they reflected practices which had already been established for some years by the Sub-Commission) or were inconsistent with certain provisions of the rules of procedure of the functional commissions of the Economic and Social Council, which, broadly, govern the work of the Sub-Commission.

40. In the light of the above, and bearing in mind that the great majority of Sub-Commission members had only received the report of the Working Group on the day when the Sub-Commission began its work, the Chairman pointed out to the first meeting of the officers of the Sub-Commisson that it was necessary to consider the best way of undertaking the in-depth study and discussion called for by the proposals recommended by the Group in its report.

41. After a careful examination of the subject by the officers of the Sub-Commission, the majority held that the most appropriate way to examine those propoals satisfactorily was not to take them up in plenary meetings, but rather within a sessional working group established for the purpose. This

group, after an initial analysis of the "rules" proposed by the intersessional working group, and of any amendments thereto, would in turn put forward its views and suggestions on new formulations, which would be submitted to the full Sub-Commission for its consideration and a final decision. In that way, there would be full compliance with the stipulations of resolution 1992/66, paragraph 6, which provided that the "draft decision" in which the inter-sessional Working Group was to present its recommendations to the Sub-Commission should be "for examination by all the experts of the Sub-Commission".

42. Although this was the majority opinion among the officers of the Sub-Commission, the Chairman suggested that no specific proposal to that effect should be made to the full Sub-Commission, but rather that the issue should be raised and a debate held on the procedure to be followed in discussing that agenda item. The officers agreed to that suggestion.

43. During the initial debate on the subject at the Sub-Commission's 2nd meeting there were sharp differences of opinion as to the methodology to be followed. While various experts supported the idea of establishing a sessional working group, the majority of speakers opposed it, preferring to start considering directly, at plenary meetings, the proposals put forward by the inter-sessional Working Group and the many amendments to which they could obviously be expected to give rise.

44. In the end, in order to avoid a vote on this preliminary issue which would seriously divide the Sub-Commission from the very start of its consideration of the topic, a compromise solution was decided upon at the 3rd meeting on the Chairman's suggestion, whereby the Sub-Commission would consider item 3, "Review of the work of the Sub-Commission", including the proposals contained in the inter-sessional Working Group's report, in plenary leaving the taking of any other decision that might prove necessary until a later stage (E/CN.4/Sub.2/1992/SR.3. paras. 11 and 12).

45. In this connection, it should be emphasized that the debate in the plenary on the group's proposals regarding the rationalization of the Sub-Commission's methods of work was rather short. Understandably, only 5 of the 26 members of the Sub-Commission spoke on the content of those proposals within that framework.

46. This was because both the real debate and the essential process of reconciling the widely differing views of Sub-Commission members on many recommendations of the inter-sessional Working Group took place during many informal talks which the Chairman held with his colleages. These negotiations began shortly after the start of the debate on agenda item 3 (4 August) and concluded only minutes before the Sub-Commission adopted its resolution 1992/8 on 26 August.

47. The Chairman of the Sub-Commission feels bound to place on record the remarkable spirit of flexibility and conciliation shown by the Chairman of the inter-sessional Working Group, Mr. Joinet, in discharging the intricate task of resolving the considerable divisions of opinion in the Sub-Commission on this subject.

48. Through his initial efforts to that end - and those of the Rapporteur of the Group, Mr. Yimer - the Sub-Commission was presented on 18 August with a draft resolution (E/CN.4/Sub.2/1992/L.15) which substantially amended the one originally proposed by the Working Group in its report. Further amendments were put forward by five members of the Sub-Commission during the meeting at which the above-mentioned resolution 1992/8 was adopted; they were all accepted by Mr. Joinet and Mr. Yimer, the co-sponsors of draft resolution E/CN.4/Sub.2/1992/L.15.

49. In order to give the Commission the basic information with which to evaluate the fulfilment by the Sub-Commission of Commission resolution 1992/66 with specific reference to the rationalization of its methods of work, in the following paragraphs a summary is given of the main recommendations of the Working Group on the subject and of the Sub-Commission's decisions on those recommendations under its resolution 1992/8. It should be mentioned at the outset that the Sub-Commission decided to replace the expression "directrices" in the title of the Spanish text of the draft resolution recommended by the Working Group by the expression "principios rectores" and to refer to the numbered texts included in the draft resolution, which the Working Group had originally termed "rules", as "guidelines".

A. Preparation of studies (guidelines Nos. 1-7)

50. With respect to the number of studies to be undertaken by the Sub-Commission, the basic proposals of the Group on the subject can be summarized as follows:

(a) Except when the Commission has requested it directly, no new study may be submitted by the Sub-Commission for a decision by the Commission, unless a previously authorized study has been completed. When the number of studies proposed for a decision exceeds the number of studies completed, the members of the Sub-Commission should hold consultations in order to establish priorities. In draft resolution E/CN.4/Sub.2/1992/L.15, it was stated that such a measure should only be applied when the number of ongoing studies reached 20. The Sub-Commission considered that such a regulation should be applied when the number of studies reached 13 - in other words, a number similar to the one which has traditionally been budgeted for;

(b) According to the Group's text a study whose final conclusions had been approved by the competent authority would be considered to have been completed. The Sub-Commission considered that any study would be considered as completed once the final report of the study in question had been submitted to the Sub-Commission for consideration.

51. Regarding the document preliminary to the studies, the Group, adhering to the practice already followed by the Commission in recent years, recommended that no new study should be undertaken unless such a preparatory document had been submitted. It should take the form of a short working paper giving basic information about the proposal and indicating inter alia, the relevance, timeliness and object of the proposed new study, as well as a draft timetable for its completion. The Group also specified, in that regard, that upon authorization of the study by the higher authority, the person designated to carry out the study need not be the author of the preparatory document.

The Sub-Commission endorsed those recommendations and made them generally applicable both to studies proposed by the Sub-Commission itself and to those which it is requested directly to prepare by a higher authority. Regarding the latter, the Group provided that such a document would be elaborated only in exceptional circumstances.

52. In its recommendation on the duration of studies, the Group also adhered to the general practice followed so far by the Sub-Commission: namely, that of granting the special rapporteurs a period of three years to complete a study, during which it would appear annually in three phases, as a preliminary report, a progress report and a final report. The Sub-Commission adopted this proposal, but did not consider it necessary to call for a special debate by the Sub-Commission as had been recommended by the Group, if the special rapporteur considered, as a result of difficulties encountered by him, that he needed more time to complete his study. In the view of the Sub-Commission, such a debate should be held within the framework of the discussions on the relevant item of its agenda.

53. The Group had put forward a proposal concerning the appointment of rapporteurs and the role of alternates. It should be recalled that the role and powers of the alternate experts and other matters relating to them had been discussed by the Sub-Commission in recent years. In its proposal, the Group provided for the possibility of assigning studies to alternate experts. The Sub-Commission did not accept that suggestion, on which many members of the Sub-Commission expressed reservations, and deleted any reference to the subject in resolution 1992/8. On the other hand, it endorsed, the Group's proposal that as a rule the studies should be assigned to serving experts. In that connection, only by the express decision of the Sub-Commission may a rapporteur for an ongoing study who is no longer a member of the Sub-Commission be retained in his post of rapporteur for more than one year after the date on which his mandate expires.

54. Still on this very important subject, the Sub-Commission also approved the proposal by the Group that both the specialized knowledge of the members of the Sub-Commission and the need for equitable geographical distribution should be taken into account when appointing special rapporteurs. The reference in the Group's proposal to the possibility of appointing two rapporteurs for the same study as one way of achieving pluralism in the allocation of studies among serving experts was deleted from the text of resolution 1992/8. Lastly, it should be mentioned that the Sub-Commission deemed it necessary to include a reference to the desirability of Sub-Commission members holding consultations during each session on the topics of possible new studies and the appointment of experts to prepare them. The Rapporteur of the Sub-Commission was given the task of collecting such proposals and informing the Sub-Commission on the subject.

55. Regarding the appointment of commentators, the Sub-Commission did not accept the wording suggested by the Group, which left open the possibility that the Sub-Commission might appoint them without the agreement of the special rapporteur who is the author of the report in question. The draft was reworded by the Sub-Commission to make it absolutely clear that such appointments are the exclusive prerogative of the author of the report, if he deems them necessary. The Sub-Commission, on the other hand, accepted the

proposal by the Group that such appointments should in no way limit the right of any member of the Sub-Commission to comment on the report in question as he might see fit.

56. The Group recommended that the Sub-Commission should include an updated list of studies in its annual report to the Commission on its work, which would indicate the studies completed or ongoing and provide certain information on each of them. The Sub-Commission accepted this proposal, which reflects the practice followed in its annual reports to date.

57. Regarding the question of follow-up of studies, the Sub-Commission endorsed the proposal submitted by the Group, which specified the information to be provided by the secretariat to the Sub-Commission at each of its sessions, regarding various aspects of studies already authorized. The proposal covered, on the one hand, the information which traditionally appears in the annual report of the Sub-Commission to the Commission and, on the other, additional information such as the actual financial costs of the study and the follow-up given to the recommendations of the special rapporteur in question in respect of the measures adopted by the secretariat, Governments and international organizations.

B. Submission and adoption of resolutions and decisions (guidelines Nos. 8-12)

58. Regarding the number of resolutions and decisions, the Group recommended that the secretariat should provide, at each session of the Sub-Commission, a comparative statistical table for the previous three years showing the number of decisions and resolutions considered by category. The purpose of this table was to permit a better assessment of trends in that regard, and to promote self-discipline in order to reduce the number of resolutions and decisions. The Sub-Commission endorsed this proposal.

59. The Group also recommended that when, at a given session, the draft resolutions and decisions registered have reached the number of 25 (excluding those concerning the submission of studies), the Chairman, in a solemn declaration, should invite the experts to reduce the number of their drafts. The Sub-Commission did not accept this suggestion, because it might have the effect of restricting the presentation of proposals on the agenda items discussed in the final part of the session.

60. Regarding the number of co-sponsors of draft resolutions and decisions, the Sub-Commission decided to amend the wording proposed by the Group (which could be interpreted as requiring multiple co-sponsorship for each initiative), in order to maintain the right of each expert to submit his proposals without necessarily having to secure the co-sponsorship of other Sub-Commission members.

61. On the other hand, the Sub-Commission accepted the recommendation of the Group that the Chairman of each session should be authorized to initiate consultations with all the parties involved in the subject of any draft resolution or decision, with the object of inviting them to replace their proposal by a solemn and consensus declaration by the Chairman meeting their

approval, which would appear in extenso in the annual report of the Sub-Commission and in the relevant summary record.

62. Lastly, with respect to the deadline for the submission of draft resolutions or decisions, the Group recommended that such drafts should be submitted at least four working days before the date on which they were scheduled to be put to a vote, a deadline which should be set at six days in cases involving financial implications. The Sub-Commission amended that proposal, setting the deadlines at three and four days, respectively.

C. Holding of meetings and allocation of speaking time (guidelines Nos. 13-16)

63. The Group submitted a number of proposals to the Sub-Commission on the schedule of meetings, the order of statements, the list of speakers, speaking time and self-discipline in the use of speaking time by all the participants in its work. On the whole, these proposals systematically and expressly reproduced the practice followed by the Sub-Commission in recent years.

64. The Sub-Commission accepted virtually all of the proposals by the Group. However, as a matter of principle it amended the maximum speaking time (15 minutes) that it was proposed to allocate for each item to each expert who was a full member of the Sub-Commission. This time was almost the same as that recommended by the Group for Government observers (14 minutes) and less than that allocated to non-governmental observers (16 minutes). The Sub-Commission decided that its experts would be allocated 20 minutes for their statements on each agenda item, which could be divided into one or several statements. A maximum of 35 minutes would be allotted to special rapporteurs for the presentation of their reports and the formulation of their conclusions on the discussion of those reports, after completion of the debate on that subject.

65. In its report, the Group had recommended that a series of guidelines should be laid down for the participation of alternates (E/CN.4/Sub.2/1992/3, para. 14, "rule" 18). The Sub-Commission did not accept those guidelines.

D. Transitional arrangements (guideline No. 17)

66. The Group recommended that the various guidelines contained in the draft resolution which it submitted to the Sub-Commission for adoption should not take effect until its forty-fifth session. The proposal stipulated that they should not be applicable to rapporteurs appointed before its forty-fourth session. The Sub-Commission endorsed this proposal by the Group.

E. Consideration of situations involving serious and large-scale violations of human rights in specific countries

67. The Working Group addressed this issue at the beginning of its meetings, when discussing the content of the mandate given to it in paragraphs 6 and 7 of Commission resolution 1992/66. It concluded that the question of a possible global report on this type of situation (usually considered under agenda item 6), for transmission to the Commission each year in accordance

with the latter's resolution 8 (XXIII), was not among the topics which the Group had been instructed to examine.

68. Bearing in mind that the working paper drafted by one of its members, Mr. Chernichenko, entitled "Draft proposal on the methods of consideration in the Sub-Commission of violations of human rights" (E/CN.4/1992/3/Add.1) could not be discussed because of the constraints of its mandate, the Group decided to recommend to the Sub-Commission that it should renew the mandate of the sessional working group established by virtue of its decision 1989/104 and transmit the above-mentioned document by Mr. Chernichenko to that group for its consideration.

69. It is to be hoped that at the beginning of the forty-fifth session, the Sub-Commission will decide on this proposal by the Group, and that if the recommendation is adopted, the consideration of Mr. Chernichenko's paper will be included in the mandate of the working group.

70. Lastly, the Commission's attention is drawn to the fact that in paragraph 1 of its resolution 1992/8, the Sub-Commission decided to continue, at its forty-fifth session consideration of those aspects of its methods of work which have not yet been discussed.

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ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Advisory services in the field of human rights, including the Voluntary Fund for Technical Cooperation in the Field of Human Rights

Report of the Secretary-General

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Introduction

1. The Commission on Human Rights, at its forty-eighth session, adopted resolution 1992/80 on advisory services and the Voluntary Fund for Technical Cooperation in the Field of Human Rights. In that resolution the Commission, after having taken note with appreciation of the report of the Secretary-General (E/CN.4/1992/49), considered three specific items: (i) activities under the regular budget of the United Nations, (ii) activities under the Voluntary Fund for Technical Cooperation in the Field of Human Rights, and (iii) system-wide cooperation.

2. In section I of the resolution, "Activities under the regular budget of the United Nations", the Commission welcomed the increasing number of requests from Governments for support and technical assistance in the field of human rights; reaffirmed that the programme of advisory services should continue to provide practical assistance in the implementation of international conventions on human rights to those States which indicated a need for such assistance; recommended to the Secretary-General that the provision of expert assistance and activities to assist Governments in the development of the necessary mechanisms to meet international human rights standards should continue to increase; and requested the Secretary-General to provide urgently more human and financial resources for the enlargement of advisory services, particularly from section 24 of the regular budget concerning technical cooperation, in order to meet the increased demand on this important instrument intended to invigorate the human rights spirit in the world. The Commission welcomed the efforts of the Secretary-General to ensure close coordination between the activities under the regular programme of human rights and those of the Voluntary Fund for Technical Cooperation in the Field of Human Rights and, at the same time, to make a clear distinction between them. The Commission invited competent United Nations bodies, such as the committees set up under the International Covenants on Human Rights, the Committee on the Elimination of Racial Discrimination, the Committee against Torture and the Committee on the Rights of the Child, to make suggestions and proposals for the implementation of advisory services, and requested its special rapporteurs and representatives as well as the Working Group on Enforced or Involuntary Disappearances and the Working Group on Arbitrary Detention, to inform Governments, whenever appropriate, of the possibility of availing themselves of the services provided for under the programme of advisory services and to include in their recommendations, whenever appropriate, proposals for specific projects to be realized under the programme of advisory services.

3. In section II "Activities under the Voluntary Fund for Technical Cooperation in the Field of Human Rights", the Commission emphasized that the objective of the Voluntary Fund was to provide financial support for international cooperation aimed at building up and strengthening national and regional institutions and infrastructures which would have a long-term impact on improved implementation of international conventions and other international instruments on human rights promulgated by the United Nations, the specialized agencies or regional organizations; requested the Secretary-General to continue to elaborate comprehensive programmes of advisory services and technical cooperation, maintaining a clear distinction

between technical cooperation projects financed under the Voluntary Fund and other activities, such as seminars, fellowships and dissemination of documentation, to be financed under the regular budget of the United Nations and within the World Public Information Campaign for Human Rights. The Commission also encouraged the Secretary-General and the Centre for Human Rights to participate actively in the formulation of projects regarding technical cooperation in the field of human rights, in close consultation with the Governments concerned, taking into account relevant suggestions made by human rights treaty bodies, special rapporteurs and non-governmental organizations and efforts for wider cooperation at the regional level; to pay due attention to the particular needs of developing countries from all regions and to explore fully the possibilities offered by the cooperation of the relevant specialized agencies with the Centre for Human Rights. The Commission also requested the Secretary-General to bring regularly to the attention of the competent human rights organs and of all Governments the possibilities that exist under the Voluntary Fund of providing technical cooperation to Governments at their request, and to guarantee transparency of the criteria applied and of the rules of procedure to be followed in carrying out technical cooperation in the field of human rights; and encouraged Governments to seek contact and to cooperate with non-governmental human rights organizations in formulating and implementing programmes under the Voluntary Fund.

4. In section III, "System-wide cooperation", the Commission requested the Secretary-General to explore yet further the possibilities offered by cooperation between the Centre for Human Rights and specialized bodies and other organizations of the United Nations system, such as the Centre for Social Development and Humanitarian Affairs, the United Nations Children's Fund (UNICEF), the United Nations Development Programme (UNDP), the United Nations Institute for Training and Research (UNITAR), the Office of the United Nations High Commissioner for Refugees (UNHCR), the United Nations Interregional Crime and Justice Research Institute (UNICRI), the International Labour Organisation (ILO), the United Nations Educational, Scientific and Cultural Organization (UNESCO), the World Health Organization (WHO) and the World Bank; and to bring the need for further technical assistance in the legal field that has been indicated by a number of States to the attention of the United Nations bodies and the specialized agencies that are active in providing assistance in the field of development with a view to promoting human rights in the development strategies and policies of the United Nations system. In this regard, the Commission encouraged the Secretary-General to explore fully the possibilities of a system-wide use of model projects for legal protection and the independence of the judiciary to be developed by the Centre for Human Rights. Furthermore, the Commission encouraged the cooperation between the Centre for Human Rights and UNDP, and the leadership of both organizations to enhance further coordination and cooperation between them, in particular with a view to preparing and executing jointly individual projects benefiting from the opportunities of the Programme. The Commission further encouraged the Secretary-General in his efforts to attribute to the Centre for Human Rights the functions of a focal point and clearing-house for inter-agency coordination with other organizations of the United Nations system.

5. At the same session, the Commission also adopted resolution 1992/78 on assistance to Guatemala in the field of human rights. Information on the implementation of this resolution is contained in the report of the Independent Expert (E/CN.4/1993/10) and in paragraphs 100-102 of the present document.

6. It may also be recalled that the Commission emphasized the possibilities offered under the programme of advisory services and technical assistance in a number of resolutions, inter alia resolution 1992/10 on the question of the realization in all countries of the economic, social and cultural rights; resolution 1992/14 on the status of the International Covenants on Human Rights; resolution 1992/31 on human rights in the administration of justice; resolution 1992/32 on torture and other cruel, inhuman or degrading treatment or punishment; resolution 1992/38 on development of public information activities; resolution 1992/40 on regional arrangements for the promotion and protection of human rights in the Asian and Pacific region; resolution 1992/52 on regional arrangements for the promotion and protection of human rights; resolution 1992/64 on the situation of human rights in Romania, and resolution 1992/69 on the situation of human rights in Albania.

7. In paragraph 34 of resolution 1992/80, the Commission requested the Secretary-General to report annually to the Commission on Human Rights on the progress made in the implementation of the programme of advisory services and technical cooperation in the field of human rights and, in a distinct part of his annual report, on the operation and administration on the Voluntary Fund for Technical Cooperation in the Field of Human Rights. The present report is submitted pursuant to this Commission resolution.

I. POLICY AND PRACTICE

A. Mandates

8. The United Nations programme of advisory services in the field of human rights was established pursuant to General Assembly resolution 926 (X) of 14 December 1955, authorizing the Secretary-General to make provision at the request of Governments and with the cooperation of the specialized agencies, where appropriate, for the following forms of assistance with respect to the field of human rights: (a) advisory services of experts; (b) fellowships and scholarships; and (c) seminars. Regional and national training courses were added in 1967 and 1986 respectively. All these forms of assistance aim at:

(a) Furthering knowledge and understanding of international human rights standards and their normative content, with a view to promoting their widest application;

(b) Facilitating the implementation of international human rights; and

(c) Providing technical assistance to Governments in the establishment and development of national infrastructures for the promotion and protection of internationally recognized human rights norms.

9. As emphasized in previous reports of the Secretary-General on the subject, the provision of advisory services and technical assistance does not

in any way reduce a Government's responsibility or accountability in human rights situations and, whenever applicable, would not exempt it from scrutiny through the various procedures established by the United Nations. Indeed, action by special rapporteurs of the Commission on Human Rights also takes place in parallel with projects of advisory services and technical assistance.

10. The Voluntary Fund for Advisory Services and Technical Assistance in the Field of Human Rights was established by the Secretary-General on 16 November 1987 pursuant to Commission on Human Rights resolution 1987/38 and Economic and Social Council decision 1987/147, with the objective of providing additional financial support for practical activities focused on the implementation of international conventions and other international instruments on human rights promulgated by the United Nations, the specialized agencies or regional organizations.

11. On the basis of the relevant Commission on Human Rights resolutions, practical activities to be financed by the Voluntary Fund include:

(a) Support for international cooperation aiming at building up and strengthening national and regional institutions and infrastructures which will have a long-term impact on improved implementation of international conventions and other international instruments on human rights promulgated by the United Nations, the specialized agencies or regional organizations (resolution 1992/80, para. 16);

(b) Expert and technical assistance to Governments with a view to creating and developing the necessary infrastructures to meet international human rights standards (resolution 1990/59, para. 5);

(c) Projects and programmes than can play a catalytic role in the practical realization of internationally recognized human rights standards (resolution 1990/59, para. 7);

(d) Projects for legal protection and the strengthening of the independence of the judiciary (resolution 1992/80, para. 23).

12. The Secretary-General informs Member States regularly on the possibilities offered by the United Nations, in particular under the Voluntary Fund, for providing advisory services and technical assistance to Governments at their request, most recently in accordance with Commission resolution 1992/80. In this resolution, the Commission encouraged Governments to contact and co-operate with non-governmental human rights organizations in implementing programmes under the Voluntary Fund.

B. Distinction between activities financed under the regular budget and those financed under the Voluntary Fund for Technical Cooperation in the Field of Human Rights

13. In paragraph 17 of its resolution 1992/80, the Commission requested the Secretary-General to continue to elaborate comprehensive programmes of advisory services and technical cooperation, maintaining a clear distinction between technical cooperation projects financed under the Voluntary Fund and other activities, such as seminars, fellowships and dissemination of

documentation, to be financed under the regular budget of the United Nations and within the World Public Information Campaign for Human Rights.

14. The Secretary-General ensures close co-ordination between the activities of the regular programme and those of the Voluntary Fund, which form part of a comprehensive programme of advisory services and technical assistance. The resources under the regular budget finance the activities requested by United Nations policy-making bodies: the regular programme of fellowships, international or regional human rights seminars and advisory missions of experts. They are also used to hold national or regional training courses and to provide expert advice to Governments requesting it. Such expert advice relates particularly to the preparation of initial and periodic reports to be submitted to treaty-based expert bodies, as well as to the elaboration or amendment of constitutional and electoral laws and other legislative assistance. The Voluntary Fund for Technical Cooperation in the Field of Human Rights provides additional financial support for practical activities which, most recently in accordance with Commission resolution 1992/80, aim at building up and strengthening national and regional institutions and infrastructures which will have a long-term impact on improved implementation of international conventions and other international instruments on human rights promulgated by the United Nations, specialized agencies or regional organizations. Training and other supportive activities will continue to be used to provide the necessary basic information and knowledge needed in institution building and for the widest possible implementation of human rights instruments and, unless part of a comprehensive country programme, will be funded through the regular budget (section 12). Thus, while bearing in mind their substantial interrelationship, a clear distinction will be made between technical cooperation projects financed under the Voluntary Fund and activities under the regular programme of advisory services.

C. A new global approach

15. In his report on the work of the Organization (A/47/1), the Secretary-General indicates that there is a clear and strong relationship between observance of human rights and the establishment of democracy. Both are essential components of sustainable development. Accordingly, building human rights institutions and promoting the human rights culture necessary for the functioning of such institutions is crucial in connection with the transition of many countries to democracy. One of the main priorities of the advisory services programme and the operation of the Voluntary Fund for Technical Assistance in the Field of Human Rights is therefore the provision of assistance to States for the widest possible implementation of human rights standards, and the building of infrastructures for the firm establishment of democracy.

16. The international developments of recent years have led to an increasing demand for such assistance and this demand is expected to increase even further in the near future. In order to respond to this rising demand effectively, the Centre for Human Rights has been developing a new policy. This policy includes adopting a global approach to the needs of a country by carrying out a comprehensive needs assessment and developing an overall programme containing specific projects responding to identified needs. In addition, the new policy has increased its focus on electoral assistance, and

has adopted new approaches to training and to the preparation of training materials. It is expected that this policy, in which the Centre seeks a much closer partnership with United Nations agencies and other institutions, will enable the Centre to efficiently operate an expanded programme of advisory services and technical assistance.

Electoral assistance

17. With a view to establishing and strengthening the infrastructures and institutions necessary for democracy and the observance of human rights standards, several activities have come to the forefront of the advisory services programme and the projects supported by the Voluntary Fund, in particular electoral assistance and the development of teaching and training materials for the persons responsible at the national level for applying the human rights standards. In addition, other activities, such as legislative assistance and support for strengthening national and subregional human rights structures, continue to remain essential elements of the programme.

18. The Centre for Human Rights, through the programme of advisory services and technical assistance, continued and enhanced its activities in the area of electoral assistance in 1992. Cooperating with the Electoral Assistance Unit established pursuant to General Assembly resolution 46/137 of 17 December 1991, the Centre provided such assistance to six countries, in eastern Europe, Africa and Asia, pursuant to requests by the Governments concerned. In some cases, those requests were made directly to the Centre in the context of agreements for advisory services and technical assistance between the Centre and the country involved. In others, requests to the Electoral Assistance Unit were channelled for appropriate attention by the Centre. In every case, close collaboration with the Electoral Assistance Unit was enjoyed, consistent with the new framework of the Organization for handling requests for electoral assistance.

19. The Centre's activities in this area included, in 1992, the provision of advisory services and technical assistance in the legal, technical and human rights aspects of democratic elections; training of electoral and other public officials involved in elections; assistance to civic education endeavours; legal and procedural analysis of electoral and related legislation (including consideration of the impact of nationality, emergency and security laws); and analysis and recommendations with regard to the prevailing human rights atmosphere, with special emphasis on those rights seen as prerequisites for free and fair elections (inter alia, freedom of expression, assembly, association, opinion and information, non-discrimination, and freedom from intimidation).

20. The programme of advisory services and technical assistance of the Centre draws upon the experience of its staff, its collection of electoral laws from various jurisdictions, a roster of experts, and a network of non-governmental organizations to assist Governments in the legal and technical aspects of assuring the basic right to free and fair elections. At the same time, the Centre remains cognizant of the fact that periods of elections often provide unique opportunities for countries to consider broader issues of democracy and human rights, and, accordingly, stands ready to provide further assistance in that process.

21. In response to increasing requests for assistance regarding elections, the Centre for Human Rights prepared a draft handbook on the legal, technical and human rights aspects of elections. The handbook deals with the international standards applicable in elections, respect for the basic human rights required to make elections genuine and practical aspects of human rights in election organization and administration. The draft handbook was distributed for comments at the first Electoral Assistance Training Course organized by the Electoral Assistance Unit and UNITAR (26 October-6 November 1992), and to units of the Secretariat dealing with elections. It is being revised in the light of comments received and to better reflect the work of the Human Rights Committee on the subject. The Centre hopes to organize an expert meeting to review the handbook, in 1993.

22. In connection with its electoral assistance activities, the Centre provided a resource person to lecture on the human rights aspects of elections at the above-mentioned training course and has participated in a number of meetings and seminars on the subject. The Centre has established close working relations with the Swiss Institute of Comparative Law (Lausanne) and with the Inter-Parliamentary Union (IPU) in its election assistance activities.

New approach to training and education

23. The Centre for Human Rights is adopting a new approach to teaching and training activities under the advisory services programme. Courses are now designed for the particular audience addressed, so that human rights principles - rather than being presented abstractly from the point of view of international instruments - are integrated within subject headings relevant to the work and responsibilities of the target audiences. The principles are discussed along with ways of carrying out responsibilities, while respecting international norms. This has meant revising the agendas of courses, identifying experts familiar with international norms and the realities of the profession addressed, and drafting new teaching material. In addition, in order to encourage national input into the discussions, a national expert is asked to prepare a paper on each agenda topic for presentation and discussion, along with the paper presented by the international expert.

24. The Centre is developing teaching manuals for the elaboration of model projects for the training of police officers, the training of persons with responsibilities in the administration of justice, the provision of electoral assistance, and for legal protection and the independence of the judiciary. The manuals will form a new series in the Centre's publications programme. The first in the series, Teaching and Learning about Human Rights: A Manual for Schools of Social Work and the Social Work Profession was published in 1992. Five more manuals are being developed on: Human Rights Training for Law Enforcement Officials; free and fair elections; national institutions for the promotion and protection of human rights; human rights in the administration of justice (for judges, lawyers and prosecutors); and human rights teaching at university level. The last-mentioned manual is being prepared with the cooperation of UNESCO.

25. The manuals will provide valuable practical support to the training activities conducted by the Centre. They will facilitate the standardization

of course content and structure as well as the conduct of ongoing follow-up activities. The production of such materials will obviate the need for repeated, ad-hoc preparation of course hand-outs. By including instruction in effective pedagogical technique, the Centre is aiming for an approach designed to "train the trainers", thereby allowing for the broadest possible dissemination of information with the minimum necessary resource expenditure.

26. The Centre is aware of the need to ensure that these teaching aids are adaptable to the particular cultural, educational, regional and experiential needs and realities of a broad range of potential audiences within the defined target group. It has also recognized the importance of balancing theoretical information with details on proven techniques for the performance of the target audience's duties.

27. A standardized method of work has been adopted by the Centre in an effort to ensure the success of this ambitious venture. The identification of target audiences or special public needs is followed by close consultations with international experts and organizations with experience in the relevant field. In this respect, mention should be made of the four meetings of working groups of experts which are scheduled to take place in the course of 1993 and which will each address one of the manuals included in the list of publications under preparation referred to above (para. 24).

Towards a new partnership in the field of technical cooperation for human rights

28. The demand for technical cooperation in the field of human rights to develop democratic institutions and the rule of law is increasing rapidly in many parts of the world. This is an important addition to the traditional standard-setting and implementation activities carried out by the Centre for Human Rights. At the same time, development cooperation agencies both within and outside the United Nations system, as well as many non-governmental organizations, are integrating the human rights dimension within their programmes.

29. The United Nations should be better adapted to these developments in order to assist more effectively in meeting Governments' requests for technical cooperation for human rights. The Centre for Human Rights is in the process of refining its role in the field of technical cooperation and sees the need for a much closer partnership with United Nations agencies and other institutions. This new approach was introduced by the Under-Secretary-General for Human Rights at the fourth inter-agency meeting on human rights issues, held at Geneva on 25 June 1992. In the envisaged approach, countries requesting technical assistance in the field of human rights can rely on the Centre's expertise to assess the needs and elaborate a comprehensive programme which would best meet those needs. At the same time, the Centre puts at the disposal of United Nations agencies its expertise and analysis in connection with proposed projects of technical cooperation in the field of human rights.

30. In most of the cases, the Centre hopes to be able to rely on the skills and resources of its partners for the implementation of those projects. In all the various phases of this process, the Centre for Human Rights will work in close cooperation with the Governments concerned.

31. The specific role of the Centre is seen in the light of the following observations. The Centre has received some 50 requests for technical assistance in the field of human rights and the demand is expected to increase further. Funds available for technical cooperation by the Centre, either from the regular budget or from the Voluntary Fund for Technical Cooperation in the Field of Human Rights, remain very small in comparison with these worldwide needs. With its very limited human and financial resources, the Centre alone obviously cannot provide all the assistance that is requested from it. The main part of the needs will have to be met by United Nations agencies as well as bilateral donors, in keeping with their special mandate and expertise. Accordingly, the Centre will first carry out a comprehensive assessment of the needs of a country and prepare a global programme with elements designed to meet each need. With regard to the specific projects themselves, they will be dealt with under three main categories:

(a) Those which the Centre will implement directly because of its special expertise;

(b) Those which the Centre will implement as joint projects with United Nations agencies or other institutions;

(c) Those which the Centre will entrust entirely to United Nations agencies or other institutions.

Finally, the Centre will evaluate each project and the overall programme.

32. On this basis, the Centre's technical cooperation programme would be composed of three elements:

(a) The Centre would carry out feasibility studies of what needs to be done in the areas of building up or strengthening democratic institutions and promoting and protecting human rigths and the rule of law, and would elaborate comprehensive programmes on the basis of these studies; it would discuss the comprehensive programmes or projects with interested United Nations agencies or other institutions so as to meet promptly requests for assistance from Governments directly by the Centre or indirectly through United Nations agencies or other institutions;

(b) The Centre would implement some projects where it can use its specific substantive competence and expertise on, for instance, how to adapt legisation to meet international human rights standards, how to fulfil reporting obligations under different treaties and how to strengthen national institutions for the promotion and protection of human rights;

(c) The Centre would fulfil the role of a "broker" in finding United Nations or national agencies willing and able to finance and implement needed activities which are not within its specific competence. Closer contact with United Nations agencies is foreseen in the Centre's new role.

33. Feasibility studies to assess the needs of particular countries in the field of human rights, as part of the new policy, were undertaken in connection with the elaboration of projects concerning Benin (see paras. 109-112), Mongolia (paras. 136-140), Namibia (paras. 178-119) and

Sao Tome and Principe (paras. 120-121). For each of these studies, the information available in the Centre for Human Rights regarding the status of ratification, submission of reports and the situation of human rights under the various international instruments and/or special procedures was taken into account. Other sources of information, including reports of non-governmental organizations, were also considered.

D. Working methods

34. As already indicated in the Secretary-General's report to the Commission at its forty-seventh session (E/CN.4/1991/55), in order to assist the Under-Secretary-General for Human Rights in dealing with requests submitted by Governments for technical assistance projects to be financed under the Voluntary Fund, an advisory group was set up. It comprised the heads of the branches and the administration of the Centre for Human Rights. Upon his appointment, the new Director of the Centre for Human Rights expanded the advisory group to include also the chiefs of section.

35. Until August 1992, Sweden financed a Professional post to administer and manage the Voluntary Fund. This officer also performed the functions of secretary of the advisory group. These functions are being carried out temporarily by the Advisory Services and Technical Assistance Section of the Centre.

36. The advisory group meets regularly to review requests and to identify projects. The group benefits from consultations with donor and other interested countries as well as from regular inter-agency coordination and cooperation with the other relevant parts of the United Nations system. For this purpose, the Centre holds periodic inter-agency meetings and daily discussions at the working level with concerned agencies or United Nations bodies. Guidelines for project formulation, implementation and reporting were elaborated by the Centre for Human Rights in 1990, as an internal document. The guidelines are based on standard procedures developed by UNDP for project formulation, implementation, evaluation and reporting. They consist of two integrated parts: the project document as such and a check-list for project appraisal.

37. Although the above-mentioned guidelines continue to serve as a basis for the elaboration and implementation of projects, the Centre for Human Rights is exploring new methods with the Bureau of Programming and Management of ILO, which has a long experience in the development of procedures for the design and evaluation of ILO projects. The consultations take place with a view to developing guidelines for the specific needs of the Centre. A training session for the staff members of the Advisory Services and Technical Assistance Section of the Centre, to be organized by the Bureau, is envisaged in the near future.

38. When a country's request for technical cooperation is received, the Centre first assesses what needs to be done in the areas of building up or strengthening democratic institutions and of promoting and protecting human rights and the rule of law through a needs assessment mission. On the basis of this needs analysis, and in close consultation with the Government concerned, a comprehensive programme is formulated, taking into account

relevant suggestions made by human rights treaty bodies, special rapporteurs, United Nations agencies and other institutions, and non-governmental organizations. For the execution of a comprehensive programme, the Centre seeks the partnership of other institutions and organizations, either within or outside the United Nations system, in so far as may be necessary to achieve full implementation. The feasibility of a programme depends on the extent to which such a partnership is possible and on the availability of sufficient financial resources.

39. The project thus elaborated is submitted to the advisory group for a final recommendation, after which the project is approved by the Under-Secretary-General for Human Rights. Finally, all the necessary measures will be taken to arrange for the release of the required funds and the drawing up of a legal agreement between the parties involved. In view of the ever increasing number of requests made and the limited funds available, there is a need to establish the relative importance of requested programmes and to appraise project viability.

Improving the administration and operation of the Voluntary Fund

40. The Commission, in paragraph 22 of its resolution 1992/80, requested the Secretary-General to continue to examine ways and means to improve further the administration and operation of the Voluntary Fund. In the discussion leading to the adoption of that resolution, some representatives referred to the advisability of establishing a board of trustees for the Voluntary Fund, composed of independent experts (see e.g., E/CN.4/1992/SR.56, paras. 18-19). Over the years the United Nations, in its human rights assistance activities, has developed the use of such boards in providing guidance on the use of voluntary contributions for human rights purposes. Annex II contains a note on the role of boards of trustees in human rights assistance funds.

II. SYSTEM-WIDE COOPERATION

A. Introduction

41. In resolution 1992/80, the Commission on Human Rights requested the Secretary-General to explore further the possibilities offered by cooperation between the Centre for Human Rights and specialized agencies and other organizations of the United Nations system. It also requested the Secretary-General to bring the need for further technical assistance in the legal field that had been indicated by a number of States to the attention of the United Nations bodies and the specialized agencies that are active in providing assistance in the field of development with a view to promoting human rights in the development strategies and policies of the United Nations system. The Commission encouraged the Secretary-General in his efforts to attribute to the Centre the functions of a focal point and clearing-house for inter-agency coordination with other organizations of the United Nations system.

B. Coordination of activities with United Nations bodies, specialized agencies and other intergovernmental organizations

42. With a view to avoiding duplication and improving the efficiency of the use of limited available resources, the Centre is engaged in coordination with United Nations bodies, specialized agencies and other intergovernmental organizations. This is achieved by holding inter-agency meetings, joint working groups and ad hoc consultations.

43. On 25 June 1992, the Centre convened the fourth inter-agency meeting on human rights issues at Geneva. This meeting was attended by representatives of: the Department of Public Information, the Division for the Advancement of Women and the Crime Prevention and Criminal Justice Branch of the Centre for Social Development and Humanitarian Affairs at Vienna, UNDP, UNICEF, UNHCR, UNICRI, ILO, UNESCO, WHO, the International Committee of the Red Cross (ICRC) and the Commonwealth Secretariat.

44. The meeting enabled participants to review joint programmes and exchange information on a number of ongoing activiites. It also emphasized the need for a much closer partnership between the Centre for Human Rights and United Nations bodies and agencies as a result of the process of refining the role of the Centre (see above, paras. 28-33). Under this approach, the Centre would offer its capacity to analyse the needs for human rights assistance in any given country to United Nations bodies and agencies. This would give them an overview of forthcoming projects in the field of human rights as well as of the needs and requirements yet to be met. The Centre would welcome their participation in its feasibility studies.

45. The Centre would also contact United Nations agencies and other institutions whenever it is helping a country to find donors to finance and implement a plan prepared by the Centre or when a request to the Centre falls outside the priority areas of the Centre. Out of these regular contacts, one may expect that a natural network will emerge among those working with human rights projects within different United Nations agencies or outside organizations. Such a network would facilitate contacts, exchange of information and experience. An informal mechanism for several regular bilateral and multilateral contacts between the Centre for Human Rights, United Nations agencies and other agencies would be welcome.

46. The Centre would also regularly visit relevant bodies and agencies, both within and outside the United Nations system, in order to inform them of programmes being elaborated and discuss the possibilities of their financing and implementing any part of a programme in any given country. The Centre would make use of available documentation and information from these agencies in a more systematic way. In the future, a computerized network of standardized information on projects planned, under implementation or performed could be established as a common endeavour.

47. Pursuant to paragraph 33 of Commission resolution 1992/80, the Centre is open to proposals from other organizations of the United Nations system on how to exchange information or cooperate in other ways, as long as the proposals can be met within the limited resources of the Centre in staff and funds.

48. The Centre for Human Rights cooperates with UNESCO through informal consultations for the preparation of the International Conference on Education for Human Rights and Democracy, which is planned for 1993. UNESCO and the Centre are also preparing a manual for human rights teaching at university level.

49. Cooperation between UNDP and the Centre for Human Rights started with a joint project in Colombia and has been further enhanced and developed since 1989. For instance, in 1990 a technical cooperation programme was initiated in Paraguay by UNDP and the Centre, and in 1992 UNDP in Honduras requested the views of the Centre in the formulation of a technical cooperation project in the field of human rights. The Centre for Human Rights took part in the meeting of UNDP resident representatives in Latin America which was held at Asunción, Paraguay, in November 1992. The main topic of the meeting was human rights and development. The meeting was an occasion to review experiences and programmes carried out in Latin American countries to strengthen national structures for the promotion and protection of human rights. With reference to the action of the Centre in national and regional human rights institution building, UNDP offers its cooperation through its resident representatives in the field. The cooperation between UNDP and the Centre is viewed as particularly important, both in the elaboration of the project and during its implementation. The Centre and UNDP regularly review areas for possible joint action in the field. They are also discussing an informal mechanism of consultations, as well as stronger cooperation in the field. In the conception and implementation of advisory services projects, the Centre for Human Rights has benefited from the active assistance of UNDP resident representatives.

50. The Centre collaborates with UNITAR by providing staff for UNITAR training courses at The Hague and Geneva, such as the orientation seminar for newly accredited members of permanent missions to organizations of the United Nations system held at Geneva from 28 September to 1 October 1992.

51. The Centre cooperates with UNICEF in developing and disseminating materials to promote the Convention on the Rights of the Child. For instance in Quito, Ecuador, the Centre cooperated with UNICEF in the organization of an informal regional consultation of the Committee on the Rights of the Child.

52. With the Department of Public Information, the Centre has been coordinating a number of activites, including the promotion of information materials and the translation and authentication of regional and local language versions of the Universal Declaration of Human Rights. The Centre will be working closely with the Department in an effort to ensure the widespread and effective dissemination of translated instruments.

53. The cooperation between UNICRI and the Centre for Human Rights takes the form of the organization of seminars and training courses.

54. ILO and the Centre have held several meetings during the year and identified areas for closer cooperation, particularly in connection with the 1993 World Conference on Human Rights, the International Year for the World's Indigenous People and the question of child bonded labour.

55. UNHCR and the Centre for Human Rights have agreed to establish a consultative mechanism to develop and implement proposals for working more closely and effectively together to promote human rights and protect refugees. Cooperation in the field of advisory services and technical assistance may include the provision of technical assistance to Governments in areas such as legislation, training, and election and information programmes. During 1992, the Centre and UNHCR participated in activities organized by the respective organizations, such as training courses on human rights and refugee law in Estonia (16-18 March 1992), Latvia (8-10 April 1992), Lithuania (21-24 April 1992), Albania (2-6 November 1992) and Romania (19-23 October 1992) to familiarize government officials and other interested persons with United Nations human rights standards and refugee law and the activities of UNHCR and the Centre. UNHCR and the Centre also collaborated in training courses in the area of refugee law, human rights, minority rights and immigration for Republics of the Commonwealth of Independent States.

56. With ICRC, the Centre held ad hoc consultations to explore ways of increasing cooperation in the areas of training and promotional activities, such as meetings to reinforce and help coordinate efforts in the field of human rights. The ICRC participated in several training courses organized by the Centre.

57. With the Centre for Social Development and Humanitarian Affairs of the United Nations Secretariat at Vienna, the Centre assisted in servicing the working groups in connection with the United Nations Decade of Disabled Persons and the International Year of the Family. The Centre also participated in all the preparatory meetings for the establishment of the Commission on Crime Prevention and Criminal Justice and the first session of the Commission, held at Vienna in 1992. In collaboration with the Crime Prevention and Criminal Justice Branch, the Centre organized a number of training courses for law enforcement officials, in particular in Romania and Albania. With the Division for the Advancement of Women, the Centre had consultations for the preparation of the fourth World Conference on Women, to be held in 1995, and is currently collaborating in the development of two "Fact Sheets" on the United Nations and the human rights of women, and the Convention on the Elimination of All Forms of Discrimination Against Women, respectively. The Centre for Human Rights works closely with the Centre for Social Development and Humanitarian Affairs in preparing training courses and selecting experts. The Centre for Human Rights also finances the participation of staff members from the Vienna Centre in training courses.

58. The Centre collaborates with the International Organization for Migration (IOM) by providing experts for training courses, for instance the seminar on migration policies and practices held in Moscow from 13 to 17 July 1992 for governmental and parliamentary officials dealing with migration issues.

59. The Centre collaborated in the organization of or actively participated in many seminars, workshops and meetings convened by international and regional institutions such as WHO, the World Bank and the International Criminal Police Organization (INTERPOL).

60. The Council of Europe, the Organization of American States (OAS) and the Organization of African Unity (OAU) have established bodies and mechanisms

which have their constitutional basis in the human rights treaties and conventions adopted by the respective organizations. During 1992, contacts and cooperation with the Centre have been pursued and consolidated. Information is exchanged on a regular basis regarding the status of ratification of the human rights instruments developed under each system. Following a recommendation of the first session of the Preparatory Commission for the World Conference, the Centre is currently preparing a new compilation of international and regional human rights instruments to replace Human Rights: A Compilation of International Instruments.

61. Cooperation between the Centre and the Council of Europe continued to strengthen during 1992. The Centre participated in the following activities organized by the Council of Europe: the international colloquy on democracy and human rights (Lisbon, 22-24 April 1992) and the Conference on the coordination of assistance to the new independent States (Lisbon, 23-24 May 1992). The Council of Europe was invited by the Centre to participate in the European Conference on International Human Rights Standards for CSCE Countries in January 1992. The Centre is exploring further possibilities for cooperation, particularly with regard to human rights projects in Central and Eastern Europe.

62. The Centre is involved on a number of levels with the Inter-American Commission on Human Rights, the Inter-American Court of Human Rights and the Inter-American Institute of Human Rights and is working towards continuing and expanding cooperation.

63. The Centre continued its programme of technical cooperation with the African Commission on Human and Peoples' Rights. Several components of this programme are specifically directed towards providing the Commission with the human and logistical support it requires in its work of protecting and promoting human rights in the African region. Other components are aimed at providing institution-building support for the establishment of the necessary infrastructure to assist the African Commission in the conduct of its activities.

64. As in previous years, the Centre cooperated with many international and national institutes. It continued to provide the International Institute of Human Rights in Strasbourg with staff to lecture on the international system of promotion and protection of human rights developed by the United Nations (in English, French and Spanish) during the Institute's summer courses. The 55 fellows of the United Nations fellowship programme in human rights of 1992 spent three weeks at the Institute studying the European, American and African regional systems for the promotion and protection of human rights. The Centre participated actively in activities organized by the Graduate Institute of International Studies at Geneva through lectures given by senior staff of the Centre, and also participated in seminars organized by the Institute. The Centre also continued to provide technical assistance to the Arab Institute for Human Rights in Tunis and the African Centre for Democracy and Human Rights Studies at Banjul (Gambia). With the Raoul Wallenberg Institute of the University of Lund, Sweden, the Centre for Human Rights carried out a number of activities. The Centre maintained its long-standing relationship with the International Institute of Humanitarian Law at San Remo, Italy, with which it organized a training course for lawyers and other officials from Africa. The

Centre also participated in a round table on the right to assistance organized by that Institute. Furthermore, the Centre strengthened its relations with the Poznan Human Rights Centre in Poland. The Centre actively cooperated with the International Institute of Higher Studies in Criminal Sciences at Siracusa. Representatives of the Centre attended the seminar on the protection of human rights in criminal justice proceedings organized by the Institut supérieur international des sciences criminelles (ISISC) for African jurists in July 1992. The Centre collaborated in the organization of or actively participated in a great number of activities of institutes such as: the International Institute for Sociological, Penal and Penitentiary Research and Studies at Messina, the Henri Dunant Institute at Geneva, the Graduate Institute of Public Administration in Paris, Calgary University, Limburg University in Maastricht, the University of São Paolo, the International Development Law Institute in Rome and the Ford Foundation in New York.

C. Functional relationship with treaty-based expert bodies

65. In many international human rights instruments, reference is made to technical assistance as one of the means of achieving the rights recognized in those instruments. Treaty bodies set up under international instruments, in their consideration of reports submitted by States parties, draw the attention of Governments to the availability of technical assistance in connection with the implementation of the relevant human rights standards and reporting obligations. In addition, treaty bodies make recommendations to the Secretary-General to engage in activities they consider of a priority nature.

66. Recommendations of treaty bodies make an important contribution to the formulation of comprehensive technical assistance programmes by the Centre. For example, in its report to the General Assembly (A/47/41), the Committee on the Rights of the Child requested the Secretary-General to strengthen, in the context of the technical assistance and advisory services programme of the Centre for Human Rights, the training activities related to the implementation of the Convention on the Rights of the Child and, pursuant to the recommendation of the third meeting of persons chairing the human rights treaty bodies, to consider organizing seminars and workshops at the national level for the purpose of training those involved in the preparation of reports of States parties. Likewise, the fourth meeting of persons chairing the human rights treaty bodies, held on 16 October 1992, recommended that priority should be accorded to the organization of low-cost training workshops at the national level for training in relation to reporting systems, accessible to government officials, representatives of the various social partners and relevant non-governmental organizations (A/47/628). In the report on its sixth session (E/1992/23), the Committee on Economic, Social and Cultural Rights recommended, inter alia, with regard to the non-submission of reports by States parties to international human rights treaties, that those States might wish to avail themselves of the advisory services available from the Centre for Human Rights to assist them in the preparation of their overdue reports.

D. Cooperation with non-governmental organizations

67. In the implementation of its advisory services and technical assistance programmes, the Centre for Human Rights increasingly cooperates with

non-governmental organizations. For instance, during the preparation of the comprehensive programme for Mongolia, the International Human Rights Law Group of Washington, D.C., was contracted to perform part of the needs analysis for that country. The International Commission of Jurists assisted the Centre in the needs analysis carried out in Namibia for the establishment of a human rights reference library and the development of an overall country programme. That organization also assisted in the organization of the seminar on human rights and elections in Lesotho. Likewise, an independent expert of the Minnesota branch of the Lawyers Committee for Human Rights and several national non-governmental organizations participated in the identification of the main topics of the project for Albania.

68. The Centre collaborated in the organization of or actively participated in some 100 activities initiated by non-governmental organizations. The Centre cooperated with the Andean Commission of Jurists in the organization of a training course on international protection of human rights held at Lima. A regional training course for prison officers in the Caribbean was organized by Caribbean Rights (the regional human rights network) and Penal Reform International and the Crime Prevention and Criminal Justice Branch of the United Nations Office at Vienna. The Centre continued to cooperate with non-governmental organizations, including Amnesty International, The Arab Lawyers Union, the International Federation of Red Cross and Red Crescent Societies and the International Federation of Human Rights, and also with the Conference of non-governmental organizations in Consultative Status with the Economic and Social Council, the Human Rights Unit of the Commonwealth Secretariat, Human Rights Information and Documentation Systems, and the International Helsinki Federation for Human Rights.

III. IMPLEMENTATION OF THE PROGRAMME OF ADVISORY SERVICES AND TECHNICAL ASSISTANCE IN THE FIELD OF HUMAN RIGHTS FINANCED UNDER THE REGULAR BUDGET

69. In its resolution 1992/80 on advisory services and technical assistance in the field of human rights, the Commission requested the Secretary-General to report annually to the Commission on the progress made in the implementation of the programme of advisory services and technical assistance in the field of human rights. The activities financed under the United Nations regular budget (section 12) during 1992 fell under the following categories: (a) seminars and training courses; (b) fellowships; (c) internships; (d) advisory services of experts; and (e) electoral assistance.

70. It may be recalled that in resolution 1992/80, the Commission requested the Secretary-General again to provide urgently more human and financial resources for the enlargement of advisory services, particularly from section 24 of the regular budget of the United Nations, in order to meet the increased demand on this important instrument intended to invigorate the human rights spirit in the world.

A. Seminars and training courses

(a) Training course on free and fair elections and human rights in a Democratic Society (Luanda, 31 August-4 September 1992)

71. During the week of 31 August to 4 September 1992, the Centre for Human Rights, at the request of the United Nations Angola Verification Mission (UNAVEM II), and in cooperation with the Raoul Wallenberg Institute of Human Rights and Humanitarian Law, conducted a training course at Luanda, Angola, for national, provincial and municipal electoral officers, political parties, non-governmental organizations, law enforcement officials, judges, government officials and the media.

72. The course was intended to strengthen the election and transition processes by emphasizing the central importance of respect for human rights and fundamental freedoms as recognized in the Peace Accords for Angola.

(b) Technical conference on practical experience in the realization of sustainable and environmentally sound self-development by indigenous peoples (Santiago de Chile, 18-22 May 1992)

73. The Centre organized a regional conference on practical experience in the realization of sustainable and environmentally sound self-development by indigenous peoples in May 1992 in Santiago de Chile. The purpose was to provide an opportunity for experts from Governments, appropriate specialized agencies and indigenous people's organizations to exchange views. It was aimed at contributing to a greater understanding of sustainable development as practised by indigenous people and at assisting the Working Group on Indigenous Populations in the preparation of a draft declaration on the rights of indigenous people.

74. The participants included representatives of countries having a special concern for indigenous people, staff members of United Nations organs and specialized agencies, representatives of other intergovernmental organizations and indigenous people's organizations, and a member of the Working Group on Indigenous Populations.

75. The topics discussed included: traditional practices of sustainable and environmentally sound self-development by indigenous people; practices of indigenous people in the conservation and rehabilitation of the environment and natural resources; and new ways and means of strengthening sustainable and environmentally sound self-development. The report of this conference was submitted to the Sub-Commission (E/CN.4/Sub.2/1992/31 and Add.1).

(c) National training course on the preparation of reports (Tehran, 2-5 August 1992)

76. In response to a request from the Government of the Islamic Republic of Iran, the Centre for Human Rights organized a training course on the preparation of reports to the monitoring bodies of human rights conventions to which that country is a party. Participants included officials from the ministries of Foreign Affairs, Justice, the Interior, Labour, Health and

Education, judges and other officials involved in the administration of justice, university professors, researchers, students, and one representative from a non-governmental organization.

77. The following topics were addressed by the two international experts and the two representatives from the Centre who participated: the international system for the protection of human rights; the International Covenant on Civil and Political Rights; the International Covenant on Economic, Social and Cultural Rights; the preparation of reports; the general comments of treaty bodies; the role of documentation and information; the Convention on the Elimination of Racial Discrimination; and the implementation procedures of other human rights instruments. The participants were particularly interested in the relation between international human rights standards and Islamic legal thinking. Among the major issues addressed during the discussions was the extent to which freedom of thought and expression could be exercised.

78. The participants stressed the importance of events such as this training course and welcomed the opportunity to exchange views so as to better understand international human rights standards as well as the implications thereof on the national level. In this regard, many participants expressed their wish to obtain more information on human rights and to continue this kind of dialogue in the future.

(d) Conference on de facto racial discrimination (Pretoria, 21-23 October 1992)

79. The Centre for Human Rights Studies of the University of Pretoria organized an international conference on "De facto racial discrimination in a future South Africa" from 21 to 23 October 1992. The Centre for Human Rights, in consultation with the Centre Against Apartheid, provided the services of Mr. Michael Banton, a Member of the United Nations Committee on the Elimination of Racial Discrimination and Emeritus Professor at the University of Bristol, to address that Conference on the work of the United Nations against discrimination. While in South Africa, Professor Banton visited the University of Fort Hare to discuss a request they had made for assistance.

(e) Training course on international protection of human rights (Lima, 7-10 April 1992)

80. For the third year, the Andean Commission of Jurists organized a training course on international protection of human rights in Lima, from 7 to 10 April 1992. Some 60 students, lawyers and other human rights defenders attended the course, which provided the participants with information and documentation on the existing international mechanisms for the protection of human rights, further encouraged their utilization, and promoted the exchange of experiences among people working in the field of human rights in the Andean region.

81. The Centre provided the course with two representatives of the Centre for Human Rights. The topics they addressed included: a general overview of the international mechanisms for the protection of human rights; universal mechanisms based on treaties and extra-conventional mechanisms dealing with

violations of human rights, such as special rapporteurs and working groups established by the United Nations Commission on Human Rights; the inter-American system; international humanitarian law and the role of the International Committee of the Red Cross; and non-governmental organizations.

(f) Workshop on the situation of human rights in Haiti (United Nations Headquarters, 18-20 November 1992)

82. In November 1992, the Centre for Human Rights, at the request of the Government of President Aristide and in cooperation with the Organization of American States, organized a workshop on the situation of human rights in Haiti, which took place at United Nations Headquarters in New York. The objective of the workshop was to tighten the links between national and foreign non-governmental organizations for the promotion and protection of human rights. The workshop also provided them with the opportunity of coordinating their activities in order to elaborate and implement a programme for the prevention of violations of human rights. The meeting also aimed at helping Haitian non-governmental organizations to raise funds for the implementation of the programme.

83. Participants included Haitian and foreign non-governmental organizations, international organizations for the defence of human rights, such as the Inter-American Commission on Human Rights, and financial organizations and foundations. Topics addressed by the workshop included the situation of non-governmental organizations in Haiti and the elaboration of a short-term plan for improving the human rights situation in the country.

B. Fellowship programme

84. General Assembly resolution 926 (X) made direct provision for the fellowship programme. Under the terms of that resolution, the assistance provided by the Secretary-General is to be rendered in agreement with the Governments on the basis of their requests. Therefore, fellowships are awarded only to candidates nominated by their Governments.

85. In that regard, every year the Secretary-General sends out invitations to Member States to submit nominations. Governments are reminded that nominees should be directly involved in functions affecting human rights, particularly in the administration of justice; the Secretary-General also draws their attention to the concern expressed by the General Assembly, in many of its resolutions, with respect to the rights of women.

86. At its forty-eighth session the Commission on Human Rights, in its resolution 1992/80, noted inter alia the importance of the fellowship programme as a form of practical assistance to States with a view to enabling them to develop the necessary mechanisms to meet international human rights standards. The training of government officials, mainly those with responsibilities relating to the administration of justice and the implementation of international conventions on human rights, in particular the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, is a priority for the programme.

87. An unprecedented number of applications for fellowships were received in 1992. It should be recalled that the fellowship programme is funded under the regular budget for advisory services; it was restructured in 1988 to make it more effective and the Secretary-General has awarded every year some 25 to 30 fellowships. On account of the growing interest of Governments in the programme, applications have tripled over the past three years, thus making the selection procedure extremely competitive.

88. For 1992, 62 Governments nominated 116 candidates. The Secretary-General has attempted, within the limits of the available resources, to ensure a broad distribution of the fellowships among the nationalities of the applicants, with priority being given, inter alia, to applicants from the developing countries, taking into consideration the allocation of a fair share to women, in conformity with General Assembly resolutions.

89. The principle of geographical distribution is taken into account and priority is given to candidates from States which have not benefited from the fellowship programme at all or have not done so during the last few years. Not more than one candidate from any State at a time is awarded a fellowship. In accordance with the standard practice of the Advisory Services, Technical Assistance and Information Branch, all the applications were submitted to the selection committee of the Centre for Human Rights, which is composed of a representative of the office of the Under-Secretary-General, the chiefs of branch, the officer responsible for the fellowship programme, and the administration. Taking into consideration the number of nominations received from the various regional groups, the awards granted to the different countries in the past and the qualifications of the candidates, and on the basis of the recommendations of the selection committee, the Under-Secretary-General for Human Rights approved nominations from the following States for the 1992 programme:

Africa (12):

Benin, Cameroon, Chad, Congo, Côte d'Ivoire, Ghana, Mauritius, Morocco, Sudan, Togo, Tunisia, United Republic of Tanzania;

Asia (6):

Afghanistan, Cyprus, Japan, Mongolia, Philippines, Yemen;

America (7):

Argentina, Bahamas, Ecuador, Honduras, Jamaica, Peru, Trinidad and Tobago;

Eastern Europe (3):

Albania, Poland, Romania;

Western Europe (4):

Finland, Greece, Malta, Netherlands (Aruba).

90. Given the large number of applications, additional fellowships, financed the Voluntary Fund for Technical Cooperation in the Field of Human Rights, were awarded by the Secretary-General to a further 10 countries: Brazil, China, Mongolia, Niger, Panama, Paraguay, Rwanda, Thailand, Uganda and Venezuela. Within the framework of technical assistance projects, 13 further fellowships were awarded: to Costa Rica (2), Paraguay (3) and South Africa (8).

91. With regard to the curriculum, all the fellows spent the first and the last week at the Centre for Human Rights at Geneva. During the first week they received briefings by staff members of the Centre on the United Nations system under the Charter, United Nations organs dealing with human rights questions, human rights instruments monitored by special bodies, and the structure of the Centre for Human Rights and its activities.

92. Subsequently, the fellows participated for three weeks in the human rights training course at the International Institute of Human Rights in Strasbourg, France, where they followed courses on the American, African and European human rights protection systems. Their programme also included a special course on international humanitarian law, as well as study and discussion of substantive issues such as the death penalty, torture, disappearances, the rights of parents and children, the right to marry and to found a family, and the right of family reunion.

93. The Centre, sensitive to the requests and needs voiced by some Member States, further expanded the fellowship curriculum by sending two of the fellows (from Uganda and Mongolia, respectively) to Vienna. The United Nations Criminal Prevention and Criminal Justice Branch welcomed the idea of participating in the programme and provided a three-week guidance and training course on matters related to crime deterrence.

94. At the end of the programme, the fellows spent an additional week at the Centre in Geneva, where they attended current meetings of the Human Rights Committee and two pre-sessional working groups of the Sub-Commission on Prevention of Discrimination and Protection of Minorities: one on slavery and slavery-like practices, and the other on indigenous populations. A briefing was held on the work of United Nations bodies and specialized agencies such as UNHCR, ILO, UNESCO AND WHO. Participants were requested to exchange experiences, make an evaluation of the programme and present individual oral reports including each fellow's conclusions and recommendations for his superior.

95. In accordance with the policies and procedures governing the administration of United Nations fellowships, at the conclusion of their training courses all fellowship award recipients must submit a comprehensive final report to the Centre for Human Rights on subjects directly related to their field of activities, most of them directly linked with the administration of justice and the implementation of international standards in their domestic jurisdiction.

96. The growing interest of Governments in the fellowship programme shows that the programme is regarded as a valuable means of providing practical assistance. The Commission may therefore wish to consider expanding its scope to accommodate the increasing number of requests to participate.

C. Internship programme

97. In the course of 1992, more than 118 internships (106 in Geneva, 12 in New York) were offered to outstanding graduate students to enable them to gain first-hand knowledge of United Nations actions and procedures in the field of human rights, through active participation in the work of the Centre for Human Rights, under the direct supervision of senior officials. Internships do not entail financial commitments of any kind by the Centre or the United Nations in general. Unfortunately, the lack of funds to support interns means that the desirable breadth of participation is not attained. Efforts must be made to find funding for interns from developing countries.

D. Advisory services of experts

98. The provision of advisory services of experts in the field of human rights is one of the basic components of the programme established in General Assembly resolution 926 (X). In its most recent resolutions (1991/50 and 1992/80) the Commission recommended to the Secretary-General that the provision of expert assistance to Governments in their efforts to meet international human rights standards should continue to increase. During the first 30 years of the programme, however, this was not the case. Requests by Member States for the provision of advisory services of experts were extremely rare. In a number of situations where countries were undergoing transitional processes towards democracy, the Commission requested the Secretary-General to appoint an expert for a specific country. This may have been due to the absence of an agenda item under which such cases could be dealt with other than the one on violations. Dealing with such a situation under the item on advisory services has allowed the Commission to follow a human rights situation that otherwise might have disappeared from the agenda. However, the appointment of an expert to deal with a specific country and the provision of advisory services of experts under the programme of advisory services at the request of Member States may confuse the issue of technical assistance. It would be important to find ways for the Commission to follow serious situations of violation of human rights from a critical perspective, while at the same time making available needed help in a way that does not undermine the credibility of the advisory services programme nor discourage Governments that do not have serious situations of violation from asking for assistance. This matter was brought to the attention of the Third Committee during the forty-seventh session of the General Assembly by Ms. Rigoberta Menchu, recipient of the 1992 Nobel Peace Prize. The Commission may note that there is at present no country situation under the agenda item on advisory services, although it will have to be decided at the current session how the case of Guatemala, which continued to be followed by the Advisory Services Branch of the Centre during the period under review, will be dealt with.

99. During 1992, resources of the regular budget were used for the implementation of Commission resolution 1992/78 recommending the provision of expert assistance to Guatemala. In addition, advisory services of experts were provided to the Russian Federation.

Guatemala

100. In Guatemala, the Centre organized two field missions for the Independent Expert on Guatemala, Mr. Christian Tomuschat, who visited the country in February and September-October 1992 to examine the human rights situation. The mission held meetings with national authorities and personalities of the executive, judicial and legislative branches of government, including the President. It also met with religious authorities, the National Commission of Reconciliation, the Procurator on Human Rights, representatives of workers' unions, and national non-governmental organizations, presenting allegations of human rights violations. The mission had the opportunity of visiting various localities inside the country. In Mexico, the Expert also held meetings with representatives of the National Revolutionary Unit of Guatemala (URNG) and with Guatemalan refugees in Chiapas. The report of the Independent Expert is contained in document E/CN.4/1993/10.

101. During 1992, the advisory services of Mr. A. Willemsen Diaz were also provided to the Guatemalan Congress to assist parliamentarians, and in particular the Commission on Indigenous Communities of the Congress, to elaborate a national law on indigenous populations.

102. Following the agreement signed on 8 October 1992 between the Guatemalan Government and the representatives of Guatemalan refugees in Mexico, large-scale repatriation of refugees is expected to commence in January 1993. According to this agreement, a delegate of the Independent Expert will participate as an observer during its implementation process. The delegate, Mr. H. Lorenzo, will represent the Independent Expert on a permanent basis in Guatemala and will report to him through the Centre. Owing to the lack of funds under the regular programme of advisory services, the Government of Sweden has pledged financial support for Mr. Lorenzo's presence in Guatemala for one year. However, this United Nations presence in Guatemala as part of the verification mechanism of the provisions of the agreement may be considered an activity which falls under the regular budget. The Commission may wish to take the appropriate action in this respect when adopting the relevant resolution on Guatemala.

Russian Federation

103. In the Russian Federation, the Centre for Human Rights organized a field mission for Mr. Leandro Despouy, Special Rapporteur on human rights and states of emergency, from 1 to 4 September 1992 in Moscow. The purpose was to advise national authorities on emergency laws. The mission held meetings with political authorities and non-governmental organizations. The topics discussed included the establishment and enforcement of states of emergency and conflicts in the Republics of the former Soviet Union, in particular in the Caucasus. Interlocutors underlined the necessity of national legislation on emergency in conformity with international conventions on human rights. The Special Rapporteur considered that the Centre for Human Rights could

engage in cooperation with the Republics within the context of advisory services in the field of human rights. A technical assistance programme has been elaborated by the Centre and is presently under discussion with the Russian authorities.

E. Electoral assistance

1. Cambodia

104. In June 1992, at the request of the Electoral Assistance Unit, the Centre prepared an analytical report on legal, technical, and human rights issues arising from the draft electoral law for Cambodia. The report contained a number of concrete recommendations regarding, among other topics, the clarity of drafting language, the structure for electoral administration, the registration process, the polling process, restrictions on parties and candidates, media access, and election petitions. Special emphasis was placed on the legal guarantee of fundamental rights seen as prerequisites for fair elections, gender neutrality in drafting language, the need for detailed administrative instructions, provisions for maximum enfranchisement, including that of workers, young people and the disabled, avoidance of discriminatory application of the laws, and respect for freedom of expression in the laws as drafted.

2. Eritrea

105. In 1992, pursuant to a request by the Electoral Assistance Unit in June 1991, the Centre produced a detailed legislative analysis of the proposed laws and procedures for the upcoming referendum on independence in Eritrea. This analytical report, designed to assist the provisional Government in the preparations for the referendum, contained several recommendations concerning, inter alia, independent administration, district delimitation, voter registration, the polling process, complaints, petitions and appeals. Particular attention was devoted to assuring freedom of association and expression for all, regardless of their position on the issue to be decided, and to the full range of fundamental rights which are prerequisites to the conduct of free and fair referenda, including the right to freedom of association, assembly, expression, opinion and movement.

2. Malawi

106. On 22 October 1992 the Government of Malawi requested the assistance of the United Nations in the organization of a referendum to be held in the country on the question of a multi-party as opposed to a one-party system. The Centre for Human Rights provided the services of one of its staff members, to participate in the mission and address the human rights aspects of the proposed referendum. The report of the mission was made public to further inform the voters. Subsequently, at the request of the Government, a staff member with specialized knowledge of the subject went to Malawi for a week in January 1993 to provide assistance with the draft electoral laws, electoral procedures and other matters.

IV. OPERATION AND ADMINISTRATION OF THE VOLUNTARY FUND FOR TECHNICAL COOPERATION IN THE FIELD OF HUMAN RIGHTS IN 1992

107. In paragraph 34 of resolution 1992/80, the Commission on Human Rights requested the Secretary-General to report annually to the Commission on the operation and administration of the Voluntary Fund for Technical Cooperation in the Field of Human Rights in a distinct part of his annual report on advisory services and technical cooperation in the field of human rights. Pursuant to that resolution, this chapter of the report will describe current policy and practice and the envisaged long-term policy. The mandate of the Secretary-General with regard to the Voluntary Fund and the criteria and procedures applied have been set out in chapter I above.

108. The activities financed under the Voluntary Fund in 1992 are set out below.

A. Africa

1. Country activities

(a) Benin

Needs assessment mission

109. During the week of 29 October to 6 November 1992, the Centre for Human Rights provided, in Cotonou, Benin, at the request of the Government of Benin, the advisory services of an expert to assess the needs of the country in the field of human rights.

110. This evaluation mission included consultations with political and administrative authorities, human rights organizations and the media. The objective was to elaborate proposals for a technical assistance programme in order to build up and strengthen infrastructures for the promotion and protection of human rights.

111. In the report, the expert made recommendations in various areas related to human rights. The effective establishment of a Constitutional Court and a High Authority for Audiovisual and Communication was suggested. As regards courts, the recommendations were, inter alia, to collect documentation, to supply equipment, and to organize human rights training courses and information activities for judicial officers. As for penitentiary institutions, the consultant suggested, inter alia, the supply of equipment and the training of personnel in the treatment of prisoners. Concerning police forces and military and paramilitary forces, the recommendations were, inter alia, to supply equipment and to organize human rights training courses. With regard to non-governmental organizations, the suggestions were, inter alia, to collect documentation, to finance human rights seminars and to permit those organizations to assume their role in the observation of human rights. Training was also recommended for trade unions and the media. The consultant advised the dissemination of information and the teaching of human rights at school, on television and in some ministries. Assistance in the ratification of international human rights instruments and in the elaboration of reports was also recommended.

112. The report of the expert was transmitted to the Government of Benin on 16 December 1992. The Centre is awaiting the reply of the national authorities.

(b) Lesotho

Electoral assistance

113. Following a mission conducted in the last quarter of 1991, at the request of the Government of Lesotho, and based upon recommendations made by that mission, as well as upon a detailed and extensive statutory and procedural analysis conducted by specialized staff of the Centre, a comprehensive report was issued in the first quarter of 1992 on the legal, technical and human rights aspects of planned elections in that country. The report dealt with the legal and procedural arrangements for elections in Lesotho and called attention to international standards for free and fair elections, citing texts from other jurisdictions in order to provide concrete examples of various modes of application of those standards.

114. In response to certain recommendations made in that report, the Government communicated a request to the Centre for further assistance in the preparations for the elections and the process of democratic transition. Accordingly, the Centre undertook a programme which was to include, inter alia, assistance in the conducting of a voter education campaign, the training of certain electoral officials, and a weeklong pre-election seminar programme on free and fair elections and human rights in a democratic society. Thus, at the end of July and the beginning of August 1992, the Centre organized a study tour to the electoral offices of Zambia, where elections had recently been held, for two senior officials of the Electoral Office of Lesotho, so that those officials might profit from firsthand observation of the practical operations of electoral administration in a neighbouring country. Subsequently, the Chief Electoral Officer of Lesotho reported that the study tour had proved to be very useful in contributing to the preparation of those officials for their electoral duties.

115. In response to a further request by the Government for assistance in the training of officials charged with the drafting of electoral laws and procedures, the Centre arranged for a senior legal drafting official to attend a formal 10-week course in legislative drafting at the Royal Institute of Public Administration at Regent's College in London. The official attended that course from 28 September to 4 December 1992, during which time she studied the technical points of legal drafting necessary for the conduct of elections and the elaboration of laws under the new democratic order.

116. Arrangements for a planned seminar on free and fair elections and human rights in a democratic society, to be held in the days immediately prior to the elections (which have now been postponed, tentatively, until February 1993), also commenced in 1992. To this end, the Centre has secured the cooperation of a consultant from the International Commission of Jurists, who was sent to Lesotho to prepare the necessary arrangements. The seminar, based upon a programme outline prepared by the Centre, will consist of presentations by international experts on the basic principles of human rights and their relationship to the elections and to the post-electoral democratic

order. Members of the Military Council, ministers, judges, army and police officers, members of political parties, members of the university community, principal secretaries, church authorities, the media, non-governmental organizations, and the broader public will be invited to participate. The seminar programme's purpose will be to support the democratic process and the transition to democracy, and to contribute to a framework of respect for human rights in the future. After a three-day meeting in Maseru, follow-up one-day seminars will be held in the heavily populated districts of Mafetena, Mohale's Hoek, Leribe and Butha-Buthe.

117. In order that these programmes might have a broader and more lasting effect on the population of Lesotho, and to contribute to the Government's civic education campaign, the Centre sponsored the preparation of two short dramatic plays on the themes of democracy and elections in Lesotho. The plays were performed by the Basotho Theatre Company and recorded and regularly broadcast on the Lesotho National Radio, both in English and Sesotho. In addition, 400 audio cassettes were prepared for use by non-governmental organizations for citizenship education.

(c) Namibia

Needs assessment mission

118. At the request of the Government of Namibia, the Centre for Human Rights, through the International Commission of Jurists, conducted a needs assessment mission in Namibia from 8 to 18 December 1992. The objective was to design a comprehensive country programme of advisory services and technical assistance in the field of human rights, and to prepare a detailed plan for the establishment of a human rights documentation centre. This assistance should support the establishment of a human rights culture and thereby support the consolidation of democracy.

119. During their mission, the experts had consultations with a broad range of governmental and non-governmental organizations concerned with human rights in Namibia: government officials, the Ombudsman, the National Planning Commission, university officials, intergovernmental and United Nations agencies as well as non-governmental organizations. They also made a study of the existing facilities for printing, translation and publication of human rights materials in Namibia, an assessment of needs, and recommendations for improvement. An overall draft country programme in the field of human rights is being prepared by the experts and will be submitted to the Centre for Human Rights.

(d) Sao Tome and Principe

Needs assessment mission

120. At the request of the Government of Sao Tome and Principe, the Centre for Human Rights provided, from 23 to 30 September 1992, a needs assessment mission in Sao Tome which also gave assistance in regard to the ratification of the international treaties relating to the protection of human rights. The mission included consultations with political, administrative and religious authorities, trade unions, non-governmental organizations, United Nations

specialized agencies and the media. The expert also visited the Central Penitentiary of Sao Tome and had contacts with prisoners and prison officials. Furthermore, a technical assistance programme was prepared to be submitted to the Government of Sao Tome.

121. In his report, the expert made recommendations in areas closely related to human rights, namely the courts, prisons, police forces, military and paramilitary forces, non-governmental organizations, trade unions and the media. As for the courts, he recommended, inter alia, the collection of documentation and the establishment of a basic library on human rights; the supply of equipment; the establishment of regulations concerning the professions of lawyer and solicitor; and the organization of training courses on human rights for judicial officials. As regards penal institutions, the expert recommended, inter alia, the publication of legislation on the prison system in conformity with the internationally established rules for the treatment of prisoners, and the supply of equipment and training for senior personnel in the treatment of prisoners and human rights. As concerned police forces and military and paramilitary forces, it was suggested, inter alia, that human rights training courses and information activities should be organized. As for non-governmental organizations, the consultant recommended support in terms of documentation and information. Concerning trade unions, assistance in the preparation of reports and in legal documentation is suggested. With regard to the media, the expert recommended, inter alia, the publication of a Press Act which would respect the principles of freedom and responsibility, support for the organization of a professional body for the media, the dissemination of human rights information and the training of journalists. Assistance in the ratification of international human rights instruments was also proposed. The report of the expert, in Portuguese (an English version is also available), was transmitted to the authorities on 23 December 1992 for their comments and follow-up action.

(e) South Africa

122. Recent changes in South Africa, which hold out the hope of achieving a united, non-racial and democratic society in that country, have been accompanied by an increasing number of requests to the United Nations for assistance in promoting human rights. Some assistance has already been given. However, the number and variety of the requests for further assistance are such that, in order to ensure an effective use of limited resources, a framework for project evaluation must be developed.

123. The experience of the Centre for Human Rights in its assistance activities throughout the world has shown the desirability of preparing an overall country programme for human rights assistance, rather than merely implementing random ad hoc initiatives. The Centre thus decided to prepare a discussion paper on a framework and priorities for assistance in the field of human rights in South Africa. In preparing the discussion paper, a review was made of available information on human rights activities under way or planned in South Africa. Programmes reviewed included those sponsored by non-governmental organizations and the projects already submitted to the Centre for Human Rights. In addition, suggestions were sought in writing from a wide range of individuals and institutions in South Africa, and a discussion on the subject was organized with South African participants in the

United Nations human rights fellowship programme in August 1992. Finally, the information and views expressed by the South African participants during the Windhoek seminar on South Africa's socio-economic problems, held from 22 to 24 May 1992, were also taken into account. Following that seminar, UNDP requested the assistance of the Centre for Human Rights in preparing a framework for evaluating human rights projects, and in evaluating projects themselves. The Centre's current paper, which will be discussed with specialized agencies, intergovernmental organizations, non-governmental organizations and interested persons in South Africa, will form the basis for a response to UNDP's request.

Human rights fellowships

124. In response to numerous requests for advance studies in human rights from persons within South Africa, the Centre for Human Rights, in consultation with the Centre Against Apartheid and the World Council of Churches, invited eight individuals from South Africa to take part in the annual human rights fellowship programme (July-August 1992). These individuals were young professionals engaged in human rights related activities from a wide range of South African society. Together with some 50 other participants from over 40 countries, they attended the annual study session of the International Institute of Human Rights at Strasbourg and, at the Centre for Human Rights at Geneva, followed the work of the Sub-Commission on Prevention of Discrimination and Protection of Minorities. Briefings were organized on a number of subjects, and the South African participants were able to meet and discuss various topics with a member of the Committee on the Elimination of Racial Discrimination and with staff of the Centre for Human Rights.

(f) Swaziland

Training course

125. In cooperation with Swaziland, the Centre for Human Rights organized a training course on the implementation of international human rights standards from 18 to 22 May 1992, in Mbabane, Swaziland. The principal purpose was to broaden knowledge and support for internationally recognized human rights standards throughout the country. More specifically, the training course was designed to assist the Government of Swaziland in the ratification of human rights instruments to which that country is not yet a party. The project also sought to facilitate cooperation between government agencies and human rights non-governmental organizations operating in Swaziland.

126. The course was aimed at persons from both the public and private sectors. Government participants included ministers and senior officials from the Ministries of Justice, the Interior, Education, Labour and Foreign Affairs. Police and prison officials were also in attendance, along with representatives of non-governmental organizations and a number of persons attending in their personal capacity. The topics discussed included police and human rights, the rights of the child, and the African Charter of Human and Peoples' Rights.

2. Regional centres for documentation and training

(a) Assistance to the African Commission on Human and Peoples' Rights of the Organization of African Unity (OAU)

127. During 1992, the Centre for Human Rights continued to collaborate with and to assist the African Commission on Human and Peoples' Rights. Financial support was provided to the Commission for its human and logistical needs so that it could perform its work of protecting and promoting human rights in the African region. The Centre also collaborated in the provision of support for the establishment of the necessary infrastructure to assist the African Commission in the conduct of its activities. In particular, the Centre planned the creation of an information and documentation centre within the secretariat of the Commission for the purpose of collecting documents, undertaking studies and research on African human rights problems, organizing seminars, symposia and conferences, and disseminating information.

(b) Assistance to the Arab Institute of Human Rights

128. The Centre for Human Rights has assisted the Arab Institute of Human Rights at Tunis since its creation in 1989 by establishing a documentation centre to promote human rights in the Arab world, as well as through the dissemination of information. The Centre is a member of the Institute's Executive Board and participates in its annual session. In 1992, on the basis of an agreement for technical assistance signed in November 1991, the Centre provided to the Institute documentation about the activities of United Nations human rights bodies as well as financial support for the activities of the Institute, such as the dissemination of human rights concepts, studies on human rights in general and in the Arab world in particular, training courses and seminars on the application of human rights in various fields, for instance the administration of justice.

(c) Assistance to the African Centre for Democracy and Human Rights Studies

129. In 1992, the Centre for Human Rights continued its programme of cooperation with the Government of the Gambia, started in 1989, in order to strengthen legal institutions and assist the African Centre for Democracy and Human Rights Studies at Banjul. The Centre collaborated with the African Centre in all its activities by coorganizing training courses (such as seminars on the preparation of reports) and training documentation and by taking part in the Governing Body.

3. Regional training courses, seminars and workshops

(a) Benin: Seminar on human rights

130. The Centre for Human Rights provided financial support for a seminar on human rights organized by the organization Action des Chrétiens pour l'Abolition de la Torture in cooperation with the Government of Benin, from 2 to 7 September 1992 in Cotonou, Benin. The objective of the seminar, which was for African non-governmental organizations active in the protection of human rights, was the promotion of human rights in general and, more particularly, the campaign against torture. Two hundred persons participated,

coming from about 20 African countries and also from Asia, Europe and Latin America. It should be underlined that this type of meeting has a multiplying effect, in the sense that it was addressed to non-governmental organizations, which in their turn can disseminate knowledge on human rights in society.

(b) Regional Training course for English-speaking African countries (San Remo, Italy, 9-13 March 1992)

131. In cooperation with the International Institute of Humanitarian Law, the Centre for Human Rights organized a training course on the implementation of international human rights instruments and the administration of justice for officials from English-speaking African countries, from 9 to 13 March 1992 at San Remo, Italy. The purpose was to broaden, throughout the African region, knowledge of and support for internationally recognized human rights standards and to consider the question of regional and national arrangements for the promotion and protection of human rights. More specifically, the training course was designed to assist the Governments of the African region to strengthen their infrastructures for the promotion and protection of human rights and to familiarize themselves with the principle of international scrutiny of national practices in the field of human rights, and to encourage the largest possible ratification of international human rights instruments.

132. The project also sought to facilitate cooperation between government agencies and non-governmental organizations concerned with the advancement of human rights. The course was aimed at senior government officials from the region dealing with human rights policy as well as representatives of the African Commission on Human and Peoples' Rights. The topics discussed included the international system for the promotion and protection of human rights, the implementation machinery in the field of human rights, international human rights standards and regional and national institutions, the African Charter on Human and Peoples' Rights and the work of its Commission.

B. Asia

1. Country activities

(a) Cambodia

Information programme

133. The Centre for Human Rights is implementing an information programme in Cambodia, in cooperation with the United Nations Transitional Authority in Cambodia (UNTAC). It has financed the publication of educational materials and the production of audiovisual material. It has provided background documents and literature for the programme and arranged for some of the main international human rights instruments to be translated into Khmer and widely distributed to the Cambodian population. At the time the present report was prepared, the following United Nations instruments in the field of human rights had been translated into the Khmer language: the Universal Declaration of Human Rights; the International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the Code of Conduct for Law Enforcement Officials; the Standard Minimum Rules for the

Treatment of Prisoners; the Basic Principles on the Independence of the Judiciary; the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Elimination of All Forms of Discrimination Against Women; the Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Rights of the Child; the Declaration on the Elimination of All Forms of Intolerance and of Discrimination Based on Religion or Belief; the Convention relating to the Status of Refugees and the Protocol relating to the Status of Refugees. In addition, the publication of the Centre for Human Rights entitled ABC - Teaching Human Rights has now been translated into Khmer. At present, the Centre is contributing to the financing of the Programme on Human Rights Training and Education for Cambodia recently elaborated by UNTAC's Human Rights Component.

Mission on cooperation between UNTAC and the Centre

134. Following the invitation addressed by the Special Representative of the Secretary-General for Cambodia to the Under-Secretary-General for Human Rights, a mission from the Centre for Human Rights visited Cambodia from 11 to 17 October 1992, in order to explore ways of strengthening the cooperation between the Centre and UNTAC. The members of the Centre's delegation, consisting of an independent expert and a staff member, met with the staff of the UNTAC Human Rights Component and other UNTAC components, representatives of the political parties, international organizations based in Phnom Penh and members of Cambodian non-governmental organizations. They also visited two prisons, one in Phnom Penh and one in the province of Kompong Speu. Human rights education, training for members of the judiciary, law enforcement officials and non-governmental organizations, assistance in the drafting of legislation and of the Constitution and provision of documentation to human rights associations, have been identified as areas of priority for potential activity to be implemented by the Centre in cooperation with UNTAC. Possible ways to establish a United Nations presence in Cambodia to implement human rights programmes after the expiry of UNTAC's mandate have also been discussed.

International symposium on human rights

135. A representative of the Centre also participated in the International Symposium on Human Rights in Cambodia, held at Phnom Penh in December 1992. Additional information on the activity of the Centre for Human Rights in Cambodia can be found in the report of the Secretary-General to the Commission on Human Rights (E/CN.4/1993/19 and Add.1).

(b) Mongolia

Needs assessment mission

136. As a follow-up to a series of technical assistance programmes aimed at ensuring conformity of national legislation with international human rights standards, and in response to the request of the Government of Mongolia, the Centre for Human Rights formulated, in cooperation with the non-governmental organization International Human Rights Law Group, a programme which focused on assistance in establishing an independent judicial system.

137. The project commenced with a needs assessment mission of an international expert to Mongolia in October with a view to reviewing the country's judicial system. As a result of four weeks of intensive meetings and consultations with government officials, members of the judiciary, lawyers, parliamentarians, the media, representatives of United Nations agencies and other organizations and individuals, the expert submitted a report containing recommendations for measures, both legislative and practical, to strengthen the independence of the judiciary. The draft report was transmitted to the Mongolian Foreign Ministry so that the relevant elements thereof might be taken into consideration in the parliamentary sessions on judicial reform. The final report will be the basis for the elaboration of subsequent assistance to Mongolia in accordance with the Government's reaction to the recommendations.

138. The project was unique and experimental in the sense that the Centre's direct involvement in the project implementation, including the administrative arrangements, was minimized and substantial inputs on the specific issues raised in the project were effectively provided by a non-governmental human rights organization. The overall method applied in the elaboration and implementation of the project was in line with the Centre's new policy. In this respect, the project will serve as a test case for the further application and development of such a method for the future Voluntary Fund activities.

Scholarship

139. In response to the Government's request, the Centre also provided financial assistance in the form of a scholarship to a Mongolian lawyer for a four-week training programme in the field of international comparative law, organized by the Swiss Institute of Comparative Law at Lausanne. Its objective was to acquaint a Mongolian official responsible for the drafting and revising of domestic laws with foreign laws and regulations on nationality and immigration.

Provision of documentation

140. As part of a country programme and in order to meet an increasing demand for reference material on international human rights norms, the Centre financed the translation and publication of a compilation of major international instruments.

(c) Nepal

Provision of documentation

141. At the request of the Government of Nepal, the Centre for Human Rights financed the translation in Nepali and publication of Human Rights: A Compilation of International Instruments. The aim of this project is to enhance the understanding and knowledge of internationally recognized human rights standards in the country.

2. Regional training courses, seminars and workshops

Asian-Pacific workshop on human rights issues
(Jakarta, 26-28 January 1993)

142. Pursuant to Commission resolution 1992/40, the Centre for Human Rights, in cooperation with the Government of Indonesia, is organizing a workshop on human rights issues, national institutions and regional arrangements for the Asian and Pacific region. The workshop will be held at Jakarta from 26 to 28 January 1993. It will consider, inter alia, the question of national institutions for the promotion and protection of human rights, as well as aspects concerning the establishment of regional or subregional infrastructures. The workshop is a follow-up to the Asian-Pacific Regional workshop on human rights issues which was held at Manila in 1990. It is intended mainly for senior officials of the Asian and Pacific region whose functions and activities are closely related to the topics to be discussed. United Nations bodies and specialized agencies and international and local non-governmental organizations have also been invited to participate as observers.

C. America

Country activities

(a) Colombia

Technical assistance programme

143. The Centre has been executing a technical assistance programme in cooperation with the Government of Colombia and UNDP. Implemented by the Office of the Presidential Adviser for the Promotion and Protection of Human Rights, the objective of the programme is to strengthen national institutions responsible for the promotion and protection of human rights. Under this programme, the Centre for Human Rights has been providing advisory services of experts, fellowships, training courses, books and documents, and has been assisting in the production of teaching materials on human rights.

Evaluation mission

144. A review of the above-mentioned programme took place from 7 to 14 December 1992. The mission consisted of one representative each from the Government, UNDP and the Centre for Human Rights. The purpose was to evaluate the programme with a view to determining to what extent its immediate objectives had been attained and how effective it had been and was likely to be. The evaluation further aimed at identifying the factors that have facilitated or determined the progress of the programme.

145. In its conclusions, the mission stressed the progress achieved by the Colombian Government in the promotion of human rights in such areas as advisory services, education and information regarding serious human rights violations.

146. This mission recommended studies on legislation for development of the human rights provisions established by the Constitution. In particular, it recommended that legal texts that are potentially unconstitutional should be reviewed, that the ratification of international treaties on human rights to which Colombia is not yet a party should be studied, that human rights should be protected during states of emergency and that the administration of justice should be improved. As for coordination, the mission suggested, inter alia, the establishment of an independent commission to ensure the implementation of governmental human rights policies and to efficiently coordinate the relationships between the Colombian Government and the international community as regards international human rights obligations. As for education, it recommended, inter alia, promotion of the collection of training documentation and the teaching of human rights in schools and for civil servants. The mission further suggested focusing on serious problems such as terrorism, impunity, corruption and the rights of vulnerable groups. The report of the mission is reproduced in the addendum to the present report (E/CN.4/1993/61/Add.1).

(b) Costa Rica

Strengthening of national institutions for the promotion and protection of human rights

147. In October 1991, the Government of Costa Rica submitted a request for the training of government officials of the Ministry of Justice and the Office of the Human Rights Attorney. It was agreed to enable two professionals to receive such training each year. The objective is to further enhance the knowledge of Costa Rican government officials on the application of international human rights norms and standards and in particular on the functioning of the office of the ombudsman. It provides a unique opportunity for the exchange of knowledge and experience with the regular participants in the fellowship programme and with the office of the Ombudsman in Spain.

(c) Paraguay

Technical assistance programme

148. The Centre and UNDP initiated a technical cooperation programme in Paraguay in 1990. The Ministry of Justice and Labour of Paraguay is in charge of project execution. The main objective of the programme is to provide assistance to the Government for the establishment of the necessary infrastructures for the promotion and protection of human rights following the events of February 1989, which marked the beginning of the democratic process in the country.

149. The programme aims at the incorporation of international human rights standards in the domestic legal system. The Centre and UNDP are providing consultants, lectures, fellowships and relevant documentation, and render assistance in both the organization of national workshops and human rights training courses and in conducting a national promotion and awareness campaign. A Human Rights Office within the Ministry of Justice and Labour,

established in 1990, serves as a focal point and documentation centre for human rights activities within the Government and cooperates with non-governmental organizations.

(d) Uruguay

Technical assistance programme

150. At the request of the Government of Uruguay, a technical cooperation agreement for the promotion of human rights was signed in 1990. A human rights section in the Ministry of Foreign Affairs, established in 1991, is responsible for the coordination of activities in this field and is in charge of the implementation of the programme. The main objectives of the programme are to disseminate information on international human rights instruments and their implementation and to provide practical assistance in establishing national infrastructures for the promotion and protection of human rights. During 1992, training courses have been conducted for law enforcement officers, including police officers, magistrates and prison officers. The Ministry of Foreign Affairs and the Centre are currently preparing a review of the progress and achievements of the programme so far.

151. In that context, the project officer of the Centre conducted a mission in Montevideo on 3 and 4 December 1992. The officer had contacts with representatives of UNDP, the Ministry of Foreign Affairs, including the Director of its Human Rights Section, and persons involved in the implementation of the project. As a result of this mission, the project officer of the Centre put forward several recommendations, one of which was to create a special section on human rights in the general library of the Ministry of Foreign Affairs, in order to facilitate public access. The recommendations to the national experts recruited under the programme were to concentrate their efforts on the adaptation of national legislation to international standards, to reform the Code of Criminal Procedure, and to review the training programmes for military and police staff; a priority of the courses should be, inter alia, the prevention of torture and other cruel, inhuman or degrading treatment or punishment. Moreover, it was recommended that the equipment of the Human Rights Section of the Ministry of Foreign Affairs should be complemented. Finally, it was recommended to the Government of Uruguay to officially apply for an extension of the programme for one year.

D. Europe

1. Country activities

(a) Albania

Training course

152. During the week of 2 to 6 November 1992, the Centre presented at Tirana an intensive training course on human rights in the administration of criminal justice for 60 Albanian police, prison and military officials. A panel of experts composed of authorities in the field of human rights and police officials and trainers from a number of democratic countries discussed with the participants both the international standards for human rights in the

administration of justice and practical techniques for the performance of law enforcement functions which are respectful of human rights. A participatory working group model of instruction was utilized to ensure the active engagement of the trainees.

153. Topics covered in the course included: the sources, systems, and standards for international human rights in the administration of criminal justice; the duties and guiding principles of ethical police conduct; the use of force in law enforcement; the crime of torture; effective methods of legal and ethical interviewing; human rights during arrest and interviewing; the legal status and rights of the accused; standards for search and seizure; pre-trial detention and the role of police; the administration of justice in situations of internal conflict, states of emergency, and civil disorder; legal crowd control measures; minimum standards for facilities for prisoners and detainees; prison health issues, including AIDS and the HIV virus; special categories of prisoners and detainees, including juveniles, women, and remand prisoners; prison administration, discipline, punishment, and recourse procedures; juvenile offenders and police, prison and military officials; crowd control and the use of force; the rights of women in the administration of justice; protection and redress for victims; community policing and non-custodial measures; protection of refugees in criminal justice; non-discrimination and minority relations; investigating violations; effective human rights training, and the establishment and administration of democratic policing.

Needs assessment mission

154. Pursuant to a request by the Government of Albania, and in the context of a country programme of advisory services and technical assistance in the field of human rights agreed between the Centre and the Government, a human rights needs assessment mission was conducted in Albania from 2 to 12 November 1992. The mission team was composed of a consultant with expertise in the subject of human rights in Albania and two staff members of the Advisory Services and Technical Assistance Branch of the Centre for Human Rights.

155. In carrying out their duties, the members of the team met with a number of representatives of various government ministries, non-governmental organizations, parliamentarians, educators, lawyers, police and prison officials, and others involved in the task of building democratic institutions in Albania. In addition, the team studied the reports of international non-governmental organizations which had studied the human rights situation in the country prior to the team's visit.

156. The information collected by the team was compiled into a detailed analytical report, which also contained a number of conclusions and recommendations for priorities and future human rights assistance to Albania. That report, which highlighted the critical human rights needs of the country, endorsed the components of the current programme of technical assistance agreed between the Government and the Centre for Human Rights, and made several suggestions regarding areas where further activity is needed. The team was of the opinion that the report could provide a useful basis for a

coordinated approach to human rights assistance between the Centre and other intergovernmental, non-governmental, and bilateral State actors involved in aiding the Albanians in the development of a viable human rights infrastructure.

(b) Bulgaria

Provision of teaching manuals and documentation

157. On the basis of the technical cooperation agreement concluded between the Government of Bulgaria and the Centre for Human Rights in 1991, the Bulgarian version of Human Rights: A Compilation of International Instruments was published and is being widely distributed to the relevant sectors of society. The manual on teaching human rights in primary and secondary schools as well as a compilation of all human rights fact sheets published to date were translated into Bulgarian and are being printed. It is intended that these publications should facilitate understanding of international human rights standards and the application thereof in the national machinery of the protection of human rights.

(c) Czechoslovakia

National documentation and training centre

158. In response to the initiative of the Government of the Czech and Slovak Federal Republic to set up a documentation and training centre at Bratislava, which coincided with an offer of financial support from the Government of the Netherlands, the Centre for Human Rights organized in February 1992 a coordinating meeting with other United Nations agencies and international organizations in the presence of the representatives of the Governments concerned. Among the issues discussed were the possible contributions from other interested organizations, including the Council of Europe, UNHCR, ILO and UNESCO, as well as the objectives, roles, legal status and location of the proposed documentation centre.

159. As a follow-up of the meeting and at the invitation of the Government of the Czech and Slovak Federal Republic, the officer responsible for the Voluntary Fund visited Prague and Bratislava for consultations on the project and clarification of some issues raised at the above-mentioned meeting. He held talks with senior government officials. He also exchanged views with representatives of academic institutions and non-governmental organizations.

160. In June, a draft project proposal was prepared by the Government of the Federal Republic. However, following political developments in the country which were to affect the content of the project, the proposal has been under review.

(d) Hungary

Provision of documentation

161. At the request of the Government of Hungary, the Centre for Human Rights agreed to finance the translation and publication of Human Rights: A Compilation of International Instruments and a manual for teaching human rights in primary and secondary schools. The Hungarian version of these materials will be widely disseminated to governmental offices, parliamentarians, schools, academic institutions, libraries, non-governmental organizations and others.

(e) Poland

Strengthening of national human rights institutions

162. On the basis of the technical cooperation agreement signed in 1991 and following the decisions made by the Advisory Board appointed by the Minister for Foreign Affairs of Poland regarding the requests from different institutions active in the promotion of human rights in the country, the Centre for Human Rights approved and financed activities which were to be carried out by those institutions.

163. The activities included acquisition of computers and office equipment, publication of human rights materials, training courses for associate judges, and participation of a lecturer in the study session in Strasbourg. Within the framework of the programme, important steps are also being taken by the coordinating institution of the whole project, the Poznan Human Rights Centre, toward the establishment of a country-wide network for human rights documentation and information, based on electronic storage and exchange of data.

(f) Romania

Country programme

164. During 1992, the Centre continued the implementation of the long-term country programme of advisory services and technical assistance agreed between the Centre and the Government of Romania in September 1991. Previous activities in this regard had included advisory services of experts in the legal and technical aspects of democratic elections in April and May of 1990; technical assistance in the drafting of the Romanian Constitution, in the form of a seminar on human rights in constitutional law held at Geneva in December 1990, and a mission to Bucharest of advisory services of experts in February 1991. Also in 1991, the Centre organized a seminar on international human rights standards for the judges of the Romanian Supreme Court and the presidents of the district courts of appeal, as well as a one-day briefing on the United Nations and human rights for Romanian non-governmental organizations. The activities within the context of the country programme in 1992 are listed below.

Electoral assistance

165. In April and May 1992, at the request of the Government of Romania, and in the context of the ongoing country programme of technical assistance in the field of human rights agreed between the Government and the Centre for Human Rights, a mission composed of a Swiss electoral expert and two staff members of the Centre responsible for electoral assistance visited Bucharest. The mission sought to provide expert advice with regard to the legal, technical and human rights aspects of local, parliamentary and presidential elections scheduled for 1992. The team met with representatives of the Government, the various political parties, minority groups, and the administrative bodies charged with the conduct of elections. Working sessions were held with members of the judiciary and with persons responsible for the drafting of electoral laws.

166. During these meetings the team consulted with the parties involved regarding a number of problems identified in the electoral laws and procedures. Specific preliminary recommendations were made by the team, drawn from international standards and the comparative practice of a number of other democratic jurisdictions and based upon the Centre's review of certain difficulties identified in connection with previous elections in Romania. A comparative table was prepared showing the difficulties encountered, possible solutions, and texts from other jurisdictions upon which solutions might be based. While in Bucharest, the team offered suggestions for overcoming difficulties, and a detailed analytical report was subsequently drafted to provide further assistance for the elections.

167. During the national elections themselves, in October 1992, the UNDP Resident Representative in Bucharest received a request from the Electoral Assistance Unit that he organize a team to follow the elections and report on their conduct to the Secretary General. Accordingly, the Resident Representative contacted the Centre to request the participatation of a staff member with expertise in the area of elections. That staff member, whose participation was funded under the budget of UNDP, joined the other team members in visiting polling offices, meeting with non-governmental organizations and election officials, and observing the conduct of the elections themselves, and drafted the team's report to the Secretary-General.

Assistance to the Romanian Institute for Human Rights

168. Throughout the year, the Centre continued to provide financial, organizational and documentary support to the Romanian Institute for Human Rights, which was established as an independent national institution for the promotion of human rights by the Romanian Parliament in 1991. The Centre assisted the Institute in its education, training, research and documentation mandates.

Training course on human rights in the administration of justice

169. A training course on human rights in the administration of criminal justice was held in Bucharest from 19 to 23 October 1992. The course was attended by some 70 Romanian police, prison and military officials, drawn variously from duty stations around the country. A panel of international

experts, assembled both for their familiarity with international human rights standards and their practical experience in the field of law enforcement, led discussions with participants on a variety of relevant topics. A participatory working group model of instruction was utilized to ensure the active engagement of the participants.

170. The topics covered in the course included those listed above for the course held at Tirana (see para. 153).

Seminar

171. From 30 November to 4 December 1992, the Centre held a seminar on human rights in the administration of justice for 40 Romanian judges, lawyers and procurators in Bucharest. Participants from around the country took part in discussions and working sessions led by a panel of international and domestic experts on a range of subjects related to the human rights implications of the daily work of legal professionals. Topics covered included international sources, systems and standards for human rights; the independence of judges and lawyers; human rights in criminal investigations; the rights of the accused during arrest and detention; the elements of a fair trial; standards for the protection of prisoners; non-custodial measures; the administration of juvenile justice; equality and non-discrimination in the justice system, and the rights of women in the administration of justice.

Training courses on the teaching of human rights at the primary and secondary school level

172. During the week of 7 to 11 December 1992, a training course on the teaching of human rights for Romanian primary school teachers was held at the Romanian Institute for Human Rights in Bucharest. Carefully selected participants from each of the country's 41 districts benefited from a full week of intensive working sessions designed to prepare them to return to their respective classrooms and introduce human rights into daily classroom activities.

173. A training course for Romanian teachers at the secondary school level was conducted in Bucharest from 14 to 18 December 1992. This course was particularly targeted to the needs of secondary school instructors in the teaching of human rights. The purpose was to prepare a few teachers to be active participants in the training courses and to prepare them to be, themselves, trainers of teachers. In preparation for these training courses, the Centre for Human Rights sponsored the participation of Romanian school teachers in the annual teacher-training programme of the World Association for the School as an Instrument of Peace.

Legislative assistance

174. The Centre also aided the Romanian authorities throughout the year in the provision of comparative legal texts sought by the Government to assist them in the process of legislative development. In this regard, the Centre collected the organic laws of a number of democratic jurisdictions relating to

the establishment and functioning of the Defender of the People, political parties, the Superior Council of the Judiciary, and the Public Ministry, and forwarded them to the Government.

Round table

175. Finally, the Centre participated in the UNDP round table on change, systems and people, held at Bucharest from 4 to 6 September 1992. The Chief of the Advisory Services and Technical Assistance Branch delivered a presentation entitled "Transition process: respect for human rights and ethnic and religious diversity in a pluralistic system".

2. Regional training courses, seminars and workshops

European Conference on International Human Rights Standards for CSCE Countries (Barcelona, 13-17 January 1992)

176. The Centre for Human Rights co-organized with the Municipality of the City of Barcelona and the United Nations Association of Spain the European Conference on International Human Rights Standards for CSCE countries from 13 to 17 January 1992. The participants included representatives from the 38 countries of the CSCE and from United Nations specialized agencies and intergovernmental and non-governmental organizations.

177. The objective of the conference was to assist officials of the participating States in further enhancing their knowledge on the applicability of international norms and standards of human rights, and to assist them in measuring, through discussion, the impact of these norms at the national level.

178. The Conference, which was opened by the Under-Secretary-General for Human Rights, provided a unique opportunity to exchange views, experiences and information among the CSCE countries on current problems in Europe, as well as on the relationships between the United Nations, the Council of Europe and CSCE standards and implementation mechanisms.

179. The main topics covered by the Conference were: general presentations on the implementation of human rights standards; minorites and refugees; the United Nations system for the promotion and protection of human rights; the United Nations treaty-based mechanisms; and regional and national institutions for the promotion and protection of human rights. The Conference concluded with two round-table discussions: one covering the issues of standard-setting and implementation mechanisms for the protection of human rights of CSCE, the United Nations and the Council of Europe, and the second concerning the questions of minorities, refugees and migrant workers.

V. FUTURE ACTIVITIES

180. The future activities of the United Nations programme of advisory services and technical assistance will continue to follow the directives established in General Assembly resolution 926 (X) and in the relevant Commission on Human Rights resolutions. The Secretary-General will also continue to take into account the comments and views expressed by Governments

during the consideration of the programme by the Commission, and by treaty-based expert bodies, working groups and special rapporteurs. In addition, the Secretary-General will ensure that the guidelines developed by the Centre on the allocation of the resources available through the Voluntary Fund for Technical Cooperation in the Field of Human Rights are followed when projects are formulated and implemented. The Secretary-General will also ensure close coordination between the activities financed under the regular programme of advisory services and those financed under the Voluntary Fund. Close coordination will be maintained with the other programmes of the United Nations system.

181. During 1992, the Centre formulated a number of programmes of technical cooperation based on the new approach of assessment of the needs of countries in the field of human rights, in particular for Benin, Mongolia, Namibia, and Sao Tome and Principe. The reports of these needs assessment studies have been transmitted to the respective Governments. Once these reports are cleared, the activities proposed may be considered for financing and implementation. The Centre has also carried out evaluation studies of projects, such as those in Colombia and Uruguay. The recommendations of these studies are being considered by the respective Governments.

182. The following requests for provision of advisory services and technical assistance are under consideration. A number of the Governments concerned are in various stages of discussions with the Centre for Human Rights concerning joint projects. The implementation and modalities of those activities will depend on the human and financial resources available to the programme, both under the regular budget and under the Voluntary Fund.

Africa

Algeria	Strengthening of the "Observatoire national des droits de l'homme", a national institute recently established;
Angola	Creation of a national institute for the promotion and protection of human rights;
Benin	Follow-up of the needs assessment study performed for that country;
Botswana	Training course on human rights;
Burundi	Needs assessment mission;
Cameroon	Establishment of a subregional institute for human rights at Yaounde;
Central African Republic	Training course on international instruments in the field of human right;
Chad	Training course for police officers;
Côte d'Ivoire	Organization of a training course on the preparation of periodic reports to United Nations treaty bodies;

Ethiopia	Assistance in the field of electoral laws; possibility of a needs assessment study;
Gambia	Continuation of the programme of technical assistance to the African Centre for Democracy and Human Rights Studies;
Guinea	Organization of a training course on the preparation of periodic reports to United Nations treaty bodies;
Lesotho	Continuation of pre- and post-electoral assistance;
Liberia	Assistance in establishing a national human rights institution;
Madagascar	Fellowships and training courses for judges, law professors and law enforcement officers; organization of a training course at Antananarivo;
Malawi	Continuation of electoral assistance;
Mali	Assistance in the development of national human rights infrastructures;
Mauritania	Assistance to the authorities in the ratification of various human rights instruments; adaptation of national legislation to the provisions of those conventions;
Morocco	Establishment of a centre for documentation and training;
Namibia	Continuation of assistance in the establishment of a documentation centre and in other areas;
Rwanda	Provision of documentation in the field of human rights;
Sierra Leone	Legislative assistance;
Senegal	Fellowships and the establishment of a centre for documentation and training;
Sao Tome and Principe	Follow-up on the needs assessment study in that country;
Somalia	General assistance in the field of human rights;
Sudan	Technical assistance in the field of human rights;
Swaziland	Evaluation of a training course on international human rights standards held in 1992;
South Africa	Continuation of activities and the elaboration of a comprehensive programme;

Tanzania	Assistance in the establishment of a centre for documentation and training;
Togo	Organization of a training course on the preparation of periodic reports to United Nations treaty bodies;
Tunisia	Continuation of assistance to the Arab Institute of Human Rights, particularly in its training activities;
Zambia	Assistance in the printing of laws;
Organization of African Unity	Continuation of the programme of technical cooperation, started in 1988, with the African Commission on Human and Peoples' Rights. The Commission is elaborating a programme of activities for 1993-1994.

Asia and the Pacific

Cambodia	Implementation of human rights activities, in collaboration with appropriate United Nations bodies and specialized agencies and within the framework of the peace plan adopted by the United Nations;
Indonesia	Workshop on regional arrangements for the Asian and Pacific region;
Kyrgyzstan	General assistance in the field of human rights;
Lebanon	Assistance for library equipment;
Mongolia	Continuation of assistance; follow-up on the assessment of needs of the judiciary;
Nepal	Translation and publication of human rights materials; organization of national seminars for law enforcement officials;
Philippines	National training programme for human rights investigators and for the establishment of an Asian-Pacific human rights institute;
Thailand	Development of a bureau of civil rights protection and legal aid in the Office of the Procurator General.

Europe

Albania	Continuation of the assistance programme by the provision of experts to assist the national authorities in the legislative process, the training of law enforcement officers, and the translation of documents;
Bulgaria	Continuation of assistance in the translation and publication of human rights materials;

Czechoslovakia	Consultations concerning the establishment of a documentation centre;
Hungary	Continuation of assistance in the translation and publication of human rights materials;
Latvia	Legislative assistance;
Poland	Continuation of the assistance programme: acquisition of computer equipment; training activities; fellowships; translation and publication of human rights materials in Polish; the provision of human rights books;
Romania	Continuation of the implementation of the assistance programme under these principal headings: education and training; fellowships and professional education; advisory services of experts; support for the Romanian Institute for Human Rights, and information and publications;
Russian Federation	Assistance in the implementation of a comprehensive country programme;
Turkey	Strengthening of a library/documentation centre;
Ukraine	Establishment and development of a national centre for documentation and training; national training courses; international workshops; fellowship awards, and documentation.

America

Argentina	Establishment of a documentation and training centre;
Bolivia	Organization of a national training course on the implementation of international human rights instruments;
Brazil	Workshops on human rights in the administration of justice;
Chile	Establishment of a documentation and training centre;
Colombia	Continuation of the joint UNDP/Centre for Human Rights programme to strengthen human rights infrastructures;
Costa Rica	Continuation of the programme aimed at the strengthening of national institutions (ombudsman);
Ecuador	Strengthening of national institutions to train police officers in human rights principles and to train administrators of justice;

Guatemala	Continuation of assistance to the Commission on Indigenous Communities of the Congress in the elaboration of a draft law on indigenous peoples; assistance to the Office of the Procurator of Human Rights;
Honduras	United Nations presence in the verification mechanism established under the agreement for the repatriation of refugees; assistance in support of governmental activities aimed at developing and strengthening institutions and infrastructures;
Paraguay	Continuation of assistance to strengthen national institutions, in collaboration with UNDP;
Uruguay	Continuation of the programme aimed at the strengthening of national infrastructures.

Annex I

UNITED NATIONS VOLUNTARY FUND FOR TECHNICAL COOPERATION IN THE FIELD OF HUMAN RIGHTS

	US$
Contributions received as at 31 December 1992	5 628 376 a/
Pledges received as at 31 December 1992	217 095
Total (rounded off)	5 845 500
Expenditures and unliquidated obligations from the inception of the Fund until 31 December 1992 (13% support cost included)	4 607 900
Commitments already made for 1993 and 1994	1 786 900
Balance	549 300

a/ Does not include the Italian contribution.

Utilization during 1992 (as of 30 November 1992)

1.	Thematic technical assistance (elections)	60 000
2.	Country programmes and strengthening of regional and national human rights institutions	639 000
3.	Seminars and training courses	184 000
4.	Translations, publications and documentation	242 700
5.	Needs assessment	55 600
6.	Fellowships	181 600
	Total (13% support cost included)	1 362 900

Project commitments in 1992

(as at 31 December 1992)

The table below provides a financial summary of all the projects which have been budgeted under the United Nations Voluntary Fund for Technical Co-operation in the Field of Human Rights in 1992. Some of these projects have been carried forward from previous years. It should also be noted that the numbering of the projects in 1992 does not always follow a sequence, due to the fact that some projects were postponed. An asterisk indicates that the project has been completed.

Project No.	Activity	Allotment budgeted for 1992 (13% support cost included)
		US$
1988/2*	Technical cooperation to strengthen documentation centre (Uganda)	1 600
1989/3/Add.1*	Strengthening of regional institutions: African Centre for Democracy and Human Rights Studies (Gambia)	7 700
1990/12	Legislative history, Convention on the Rights of the Child	1 800
1991/5	Country programme: strengthening national human hights infrastructure (Uruguay)	40 000
1991/9	Country programme: Strengthening national human rights infrastructure (Poland)	149 200
1991/11*	Strengthening of regional institutions: cooperation with African Commission (OAU)	87 200
1991/12	Country programme: strengthening national human rights infrastructure (Paraguay)	64 000
1991/15	Translation and publication of human rights materials	62 100
1991/16	Strengthening regional institutions for promotion and protection of human rights: African Centre for Democracy and Human Rights Studies (Gambia)	24 900

Project No.	Activity	Allotment budgeted for 1992 (13% support cost included)
		US$
1991/19*	Advisory services of experts for legal and technical aspects of elections (Lesotho, Phase I)	37 400
1991/24	Strengthening of regional institutions: Arab Institute of Human Rights, Tunis	300 000
1992/1*	European Conference on International Human Rights Standards for CSCE countries, Barcelona, Spain	19 800
1992/2	Training course on preparation of periodic reports for government officials (Côte d'Ivoire)	12 500
1992/3*	Training course on the implementation of international human rights instruments and on the administration of justice for government officials from Africa and representatives of the African Commission on Human and Peoples' Rights, San Remo, Italy	141 200
1992/4	Technical cooperation with the Government of Albania	161 800
1992/5*	Financial assistance for the checking and publication of Human Rights: A Compilation of International Instruments in Mongolian, Ulan Bator, Mongolia	15 800
1992/6*	Training course on international and human rights standards, Mbabane (Swaziland)	58 800
1992/8	Translation and publication of Human Rights: A Compilation of International Instruments in Nepali, Kathmandu (Nepal)	11 300
1992/9*	Financial assistance for fellowship programme	56 500

Project No.	Activity	Allotment budgeted for 1992 (13% support cost included)
		US$
1992/11*	Training of professionals assigned to the Advocate's Office for Human Rights (Costa Rica)	22 600
1992/12*	Legal advisory assistance to the Government of Mongolia for the administration of justice, Ulan Bator (Mongolia)	36 000
1992/13*	Training of individuals from South Africa under the regular human rights fellowship programme	96 000
1992/14	Advisory services with regard to the legal and technical aspects of democratic elections (Lesotho, Phase II)	144 900
1992/15	Country programme of advisory services and technical assistance in the field of human rights (Romania)	232 300
1992/17	Subregional seminar on human rights (Cameroon)	91 800
1992/19*	Training course on human rights, Cotonou (Benin)	11 300
1992/22	Translation and publication of human rights material (Hungary)	11 300
1992/23	Asian-Pacific workshop on human rights issues: national institutions and regional arrangements for promotion and protection of human rights, Jakarta (Indonesia)	152 500
-	Education campaign (Cambodia)	169 000
-	Project elaboration and review	137 900
-	Manual on self-government of indigenous people	51 600

Annex II

Contributions to the United Nations Voluntary Fund For Technical Cooperation in the Field of Human Rights as at 31 December 1992

Government	Amount	Date pledged	Equivalent US$	Date paid	Final amount US$
AUSTRALIA	$A 10 000	Feb. 1989	8 815	Feb. 1989	8 815
(2)	$A 20 000	Dec. 1990	15 600	Feb. 1991	15 601
AUSTRIA	US$ 10 000	Dec. 1988	10 000	Dec. 1988	10 000
(2)	US$ 10 000	Dec. 1989	10 000	Dec. 1989	10 000
(3)	US$ 20 000	-	20 000	Oct. 1991	20 000
(4)	US$ 20 000	-	20 000	Oct. 1992	20 000
CANADA	$Can 150 000	Sept. 1987	113 636	Sept. 1987	113 636
COLOMBIA	-	-	10 000	April 1991	10 000
(2)	-	-	10 000	March 1992	10 000
DENMARK	DKr. 700 000	April 1990	108 493	Aug. 1990	108 493
(2)	DKr.1 800 000	March 1991	264 492	Oct. 1991	264 492
(3)	US$ 51 640	April 1992	51 640	May 1992	51 640
FINLAND	Fmk 50 000	March 1988	12 195	April 1988	12 195
(2)	Fmk 60 000	March 1989	14 405	April 1989	14 405
(3)	Fmk 250 000	June 1989	56 884	August 1989	56 884
(4)	- -	- -	17 972	August 1990	17 972
(5)	- -	- -	117 188	Dec. 1990	117 188
(6)	- -	- -	352 016	May 1991	352 016
(7)	- -	- -	18 703	May 1991	18 703
(8)	Fmk 1 387 500	Dec. 1991	324 855	Jan 1992	324 855
FRANCE	FF 500 000	Nov. 1988	80 386	May 1989	80 386
(2)	FF 567 000	April 1990	98 780	April 1990	98 780
(3)			34 843	Aug. 1990	34 843
(4)	FF 400 000		76 336	Oct. 1990	76 336
(5)	FF 1 415 845		273 329	Feb. 1991	273 329
(6)	FF 400 000		69 565	Oct. 1991	69 565
(7)	FF 500 000	Aug. 1992	103 373	Sept. 1992	103 373
GERMANY	DM 40 000	March 1988	24 054	April 1988	24 054
(2)	40 000	Jan. 1989	21 755	March 1989	21 755
(3)	US$ 23 557	-	23 557	March 1990	23 557
(4)	US$ 23 454	-	23 454	August 1991	23 454
(5)	DM 40 000	July 1992	26 931	July 1992	26 931
GREECE	-	-	5 000	April 1991	5 000
(2)	-	-	5 000	May 1992	5 000
HUNGARY	US$ 2 500	Sept.1989	2 500	Oct. 1989	2 500
(2)			2 500	Oct. 1990	2 500
(3)	-	-	-	Oct. 1992	2 485
			SUBTOTAL		2 430 743

Government	Amount	Date pledged	Equivalent US$	Date paid	Final amount US$
				C/F....	2 430 743
INDONESIA	US$ 16 000	Nov. 1992	(16 000)		
IRELAND	£Ir 2 000	March 1991	3 572	March 1991	3 572
(2)	£Ir 3 500	Feb. 1992	5 815	Feb. 1992	5 815
ITALY	US$ 50 000	June 1988	50 000	July 1988	50 000
(2) ---	US$ 99 990	Jan. 1989	99 990	June 1990	99 990
(3) ---	US$ 177 570	June 1989	177 570	Sept. 1989 Feb. 1990	177 570
(4)	Lit. 170 000 000	June 1991	133 543	Oct. 1991	133 543
JAPAN	US$ 50 000	March 1989	50 000	Dec. 1989	50 000
(2)	-	-	50 000	April 1991	50 000
(3)	-	-	50 000	Dec. 1991	50 000
LUXEMBOURG	US$ 5 934	-	5 934	May 1992	5 934
(2)	LuxF 200 000	Aug. 1992	(6 873)		
NETHERLANDS	f. 100 000	March 1988	46 713	August 1988	46 713
(2)			50 652	Dec. 1989	50 652
(3)			24 935	Oct. 1990	24 935
(4)	f. 60 000	Dec. 1990	35 741	Dec. 1990	35 741
NEW ZEALAND	US$ 10 432	Aug. 1988	10 432	August 1988	10 432
(2)	US$ 9 392	June 1989	9 392	June 1989	9 392
(3)	US$ 9 432		9 432	March 1990	9 432
(4)	$NZ 16 000	May 1991	9 427	May 1991	9 427
(5)	$NZ 30 000	May 1992	17 184	May 1992	17 184
(6)	$NZ 15 000	Dec. 1992	8 084	Dec. 1992	8 084
NORWAY	NKr 1 000 000	Jan. 1988	157 356	Jan. 1988	157 356
(2)			160 456	Jan. 1990	160 456
(3)	SwF 331 440	March 1991	253 008	March 1991	253 008
PANAMA	-	-	1 000	Nov. 1990	1 000
(2)	-	-	1 000	August 1991	1 000
(3)	-	-	1 000	May 1992	1 000
PORTUGAL	-	-	10 000	March 1991	10 000
SWEDEN	Skr 2 000 000	June 1988	334 616	June 1988	334 616
(2)			61 543	June 1990	61 543
(3)	Skr 3 000 000	Feb. 1991	506 985	Dec. 1991	506 985
(4)	-	-	332 881	June 1991	332 881
(5)	Skr 500 000	March 1992	90 416	July 1992	90 416
(6)	Skr 850 000	Dec. 1992	(126 866)		
SWITZERLAND	SwF 55 000	Dec. 1989	36 424	Jan. 1990	36 424
(2)	SwF 50 000	Dec. 1990	38 559	Jan. 1991	38 559
(3)	-		2 500	Nov. 1991	2 500
(4)	SwF 80 000	Dec. 1991	59 626	1992	59 626
(5)	SwF 95 000	Dec. 1992	(64 626)		
			SUBTOTAL		2 895 786

Government	Amount		Date pledged	Equivalent US$	Date paid	Final amount US$
					C/F....	5 326 529
TOGO	CFAF	500 000	May 1988	(1 730)		
UNITED KINGDOM	SwF	48 400	March 1988	34 820	March 1988	34 820
(2) --	£	30 000	March 1989	56 775	Aug. 1990	56 775
(3)	£	30 000	Feb. 1991	57 370	Feb 1991	57 370
URUGUAY	NUr$	1 000	May 1989	1 000	June 1989	1 000
				SUBTOTAL		149 965
TOTAL						5 476 494
NON-GOVERNMENTAL ORGANIZATIONS						
Fond. Cult. Islamic	SwF	8 345		5 282	Sept. 1988	5 282
Minnesota Lawyers Int. H.R. Committee	US$	100		100	Feb. 1988	100
Peace Prize to UN Centre for Human Rights	SwF	6 788		4 269	Feb. 1989	4 269
World Blind Union	$	1 000	Dec. 1987	(1 000)		
OTHERS						
Sale of UN human rights watches						
(1)	SwF	26 409		15 814		15 814
(2)	SwF	11 244		8 853		8 853
Katherine Winckler Trust	US$	73 969	Feb. 1991	73 969		73 969
Japan Fed. Bar Associations					Dec. 1991	43 595
				SUBTOTAL		151 882
TOTAL				217 095	(Pledged but not paid)	5 628 376 (Paid)
GRAND TOTAL						5 845 471

Note: Account is not taken in this table of the Italian Government's contribution of US$ 953,642.86 to be allocated to the various Funds administered by the Centre for Human Rights.

Annex III

NOTE ON THE ROLE OF BOARDS OF TRUSTEES
IN HUMAN RIGHTS ASSISTANCE FUNDS

I. Introduction

1. In 1978, the United Nations began to develop a practice of assisting the Secretary-General in managing voluntary funds for human rights purposes through a board of trustees. The first such fund was the United Nations Trust Fund for Chile of 20 December 1978, followed by the United Nations Voluntary Fund for Victims of Torture of 16 December 1981; the United Nations Voluntary Fund for Indigenous Populations of 13 December 1985 and the United Nations Voluntary Fund on Contemporary Forms of Slavery of 17 December 1991. These funds generally all followed the Chile model. Other funds have been established without boards of trustees, the Decade against Discrimination Fund and the Voluntary Fund for Technical Cooperation in the Field of Human Rights.

2. Several questions arise in regard to boards of trustees of human rights funds; among them are the nature of the board, the appointment of the members of the board, and the powers and functions of the board.

II. Nature of a board of trustees

3. The above funds with boards of trustees were to be administered by the Secretary-General with the advice of a board of trustees composed of experts in their personal capacities. A certain confidentiality surrounds the advice given to the Secretary-General by the board, and the Secretary-General is not obliged to follow that advice, although in the immense majority of cases he has done so. As advisors to the Secretary-General, board members are chosen by him as individuals; they are not understood as representing countries or regions. This is different - both conceptually and procedurally - from boards of trustees appointed from countries or regional groups, for example those in the field of apartheid.

III. Qualifications and appointment of board members

4. The personal qualifications required of board members have been stated as "wide experience of the situation in Chile"; "wide experience in the field of human rights" (torture fund), "relevant experience on issues affecting indigenous populations" and "relevant experience in the field of human rights and contemporary forms of slavery". The boards of the indigenous and slavery funds are appointed in consultation with the current Chairman of the Sub-Commission; at least one member of the indigenous fund's board "shall be a representative of a widely recognized organization of indigenous people".

5. All boards - with the exception of that of the indigenous fund - are appointed "with due regard to equitable geographical distribution".

IV. Functions of boards of trustees

6. Boards of trustees have two principal functions: (a) to advise the Secretary-General on the administration of the fund, and (b) to promote and solicit contributions.

V. Advice on the administration of the fund

7. As the activities of the Board of Trustees of the United Nations Voluntary Fund for Victims of Torture show, the function of advising on the administration of the fund can include: (a) developing long-term policy guidelines; (b) reviewing specific projects; (c) reviewing all financial aspects of the fund, including receipt and crediting of contributions, interest income, amount and use of programme support costs, disbursement modalities, use of funds in specific projects, including accounts and audits; (e) relations and cooperation with other organizations with regard to project evaluation, implementation and reporting; (f) secretarial support for the operation of the fund and implementation of board decisions and recommendations.

8. The Board of Trustees of the torture fund has developed its working methods to include the hearing of project sponsors and others, such as the Special Rapporteur on Torture, and on-site visits to evaluate projects.

9. The Board of Trustees of the torture fund also follows closely the internal Secretariat support for their activities with regard to staff and resources. The Chairman of the Board has maintained close contacts with the head of the Centre for Human Rights in that regard.

VI. Sessions of a Board of Trustees

10. Normally, boards of trustees meet for one or two weeks a year. Initially, the Chile and torture boards met twice within about six months to establish their guidelines for work, to determine methods of project submission and to begin fund-raising activities. Thereafter, annual meetings have been the rule.

11. The two above-mentioned boards (Chile and torture) established frameworks for acting between sessions through consultations between the hairman and the Secretariat, enlarged according to the needs to other members of the board. Decisions taken between sessions are reviewed at the following board session. The Chairman of the Board of the torture fund maintains continuous contact with the Secretariat on matters related to the fund.

VI. Expenses

12. The expenses of a board of trustees (travel and subsistence of members during a session) are paid from the fund. However, such expenses are covered by the interest income earned by contributions to the fund between deposit by the donors and disbursement to projects.

VII. Fund raising

13. Board members - individually and as a group - give close attention to fund raising and communication with donors. Pamphlets and a film have been promoted by the Board of the torture fund and coordinated appeals have been undertaken.

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Agenda item 21

ADVISORY SERVICES IN THE FIELD OF HUMAN RIGHTS

Advisory services in the field of human rights, including the Voluntary Fund for Technical Cooperation in the Field of Human Rights

Note by the Secretary-General

Addendum

1. The following contributions to the United Nations Voluntary Fund for Technical Cooperation in the Field of Human Rights were recorded between 1 January and 15 February 1993, after the report on advisory services in the field of human rights was prepared:

Government	Contribution (US$)
Australia	13 480
Indonesia	16 000
Finland	186 350
United Kingdom	52 923

2. In addition, during the same period, the following Government has pledged a contribution:

Government	Pledged contribution (US$)
Japan	100 000